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LEGISLATIVE HISTORY

Public Law 321--78th Congress

Chapter 217--2d Session

H. R. 3848

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DIGEST OF PUBLIC LAW 321

FOREST-SURVEY AUTHORIZATION. Increases the annual appropriation authorization for the forest survey from \$250,000 to \$750,000 and the total authorization from \$3,000,000 to \$6,500,000 and authorizes \$250,000 to keep the survey current.

INDEX AND SUMMARY OF HISTORY ON H. R. 3848

January 7, 1943	S. 44 introduced by Senator McNary and referred to the Senate Committee on Agriculture and Forestry. (Companion bill). Print of the bill as introduced.
January 22, 1943	H. R. 1456 introduced by Rep. Randolph and referred to the House Committee on Agriculture. (Companion bill). Print of the bill as introduced.
December 3, 1943	Hearings: House, S. 45, S. 250, and H. R. 1456.
December 15, 1943	H. R. 3848 introduced by Rep. Randolph and referred to the House Committee on Agriculture. Print of the bill as introduced.
December 17, 1943	House Committee reported H. R. 3848 without amendment. House Report 966. Print of the bill as reported.
March 28, 1944	Rules Committee reported House Res. 488 for the consideration of H. R. 3848. House Report 1305. Print of the Resolution as reported.
April 20, 1944	H. R. 3848 debated in House and passed as reported.
April 24, 1944	H. R. 3848 referred to the Senate Committee on Agriculture and Forestry. Print of the bill as referred.
May 8, 1944	Senate Committee reported H. R. 3848 without amendment. Senate Report 863. Print of the bill as reported.
May 25, 1944	Debated in Senate and passed as reported.
May 31, 1944	Approved. Public Law 321.

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IN THE SENATE OF THE UNITED STATES

JANUARY 7, 1943

Mr. McNARY introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend section 9 of the Act of May 22, 1928, authorizing and directing a national survey of forest resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That to enable the Secretary of Agriculture to complete
4 and keep current for the United States the forest survey
5 authorized and directed by section 9 of the Act of May 22,
6 1928 (45 Stat. 699, 702; 16 U. S. C. 58), said section
7 is hereby amended to provide that the annual authorized
8 appropriations therefor shall be on the same basis as are
9 appropriation authorizations for carrying out the purpose
10 of other sections of said Act as provided in section 1 thereof
11 and by removing the limitation on the total Federal
12 appropriation.

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authorizing and directing a national survey
of forest resources.

By Mr. McNARY

JANUARY 7, 1943
Read twice and referred to the Committee on
Agriculture and Forestry

78TH CONGRESS
1ST SESSION

H. R. 1456

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 1943

Mr. RANDOLPH introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend section 9 of the Act of May 22, 1928, authorizing and directing a national survey of forest resources.

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2 *tives of the United States of America in Congress assembled,*
3 That to enable the Secretary of Agriculture to complete
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78TH CONGRESS
1ST SESSION

H. R. 1456

A BILL

To amend section 9 of the Act of May 22, 1928,
authorizing and directing a national survey
of forest resources.

By Mr. RANDOLPH

JANUARY 22, 1943

Referred to the Committee on Agriculture

THE COPY

Please return to
LEGISLATIVE REPORTS AND SERVICE SECTION
Office of Budget and Finance

FORESTRY

HEARINGS

BEFORE

THE COMMITTEE ON AGRICULTURE

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH CONGRESS

FIRST SESSION

ON

S. 45

AN ACT TO AMEND SECTION 3 OF THE ACT OF JUNE 7, 1924
(43 STAT. 653; 16 U. S. C. 566)

S. 250

AN ACT TO PROMOTE SUSTAINED-YIELD FOREST MANAGEMENT IN ORDER THEREBY (A) TO STABILIZE COMMUNITIES, FOREST INDUSTRIES, EMPLOYMENT, AND TAXABLE FOREST WEALTH; (B) TO ASSURE A CONTINUOUS AND AMPLE SUPPLY OF FOREST PRODUCTS; AND (C) TO SECURE THE BENEFITS OF FORESTS IN REGULATION OF WATER SUPPLY AND STREAM FLOW, PREVENTION OF SOIL EROSION, AMELIORATION OF CLIMATE, AND PRESERVATION OF WILDLIFE

H. R. 1456

(SUPERSEDED BY H. R. 3848)

A BILL TO AMEND SECTION 9 OF THE ACT OF MAY 22, 1928,
AUTHORIZING AND DIRECTING A NATIONAL SURVEY OF
FOREST RESOURCES

DECEMBER 3, 7, AND 8, 1943

Printed for the use of the Committee on Agriculture



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1943

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FORESTRY

FRIDAY, DECEMBER 3, 1943

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D. C.

The committee met at 10 a. m., Hon. John W. Flannagan, Jr. (acting chairman) presiding.

The CHAIRMAN. The committee has before it at this time several forestry bills. I understand it is the pleasure of the committee to take up S. 45 first which is an authorization bill to increase the present authorization from \$2,500,000 to \$9,000,000 for the purpose of aiding the States and private timberland owners in protecting timber and so forth. I understand that the cost to do the right kind of job will be around \$18,000,000. Today we are spending upward of \$10,000,000 some of which has been put up by the Federal Government, and the balance contributed by the States and private owners.

We go on a 50-50 basis. That is, if we match the money that the States and the private owners put up, we will have to increase the authorization.

Mr. PHILLIPS. You mean that that is the amount that we spent for just this one conservation phase of the work.

The CHAIRMAN. I understand we will spend around \$10,000,000, is that right?

Mr. WATTS. Yes; it is somewhat more than that.

The CHAIRMAN. And the Federal Government contributed about \$2,500,000?

Mr. WATTS. Actually in the fiscal year of 1943 including the war emergency money, the Federal Government's contribution was about \$5,000,000.

The CHAIRMAN. \$5,000,000?

Mr. WATTS. Yes; and the States and the private cooperators, their cost was between \$9,000,000 and \$10,000,000.

The CHAIRMAN. Your present authorization is only \$2,500,000?

Mr. WATTS. That is right.

The CHAIRMAN. Now, I would like to have Mr. Lyle F. Watts, who is the Chief of the United States Forest Service, come around.

STATEMENT OF LYLE F. WATTS, CHIEF, UNITED STATES FOREST SERVICE

Mr. HOPE. Mr. Chairman, I am not familiar with the work that has been done under this authorization and I would like to have the position of the Forest Service stated.

The CHAIRMAN. I will ask Mr. Watts to make a general statement, giving us a bird's-eye view of just what has been done to the \$2,500,000 that has been appropriated.

Mr. WATTS. I will be glad to do that.

Mr. Chairman and members of the committee, the principle of financial aid in the protection of State and privately owned forest land was first established by the Congress in 1911 when the so-called Weeks' law was passed. That principle was broadened and strengthened in 1924 when the Clarke-McNary law was passed, and it is the authorization for the Clarke-McNary law which we are discussing this morning.

The amount of authorization under the Clarke-McNary law is \$2,500,000, whereas the most careful estimates that the State, private, and Federal forest protection agencies have been able to work out is that the total cost of giving adequate protection to the State and privately owned lands would be something more than \$18,000,000, based on costs that were in effect prior to the war.

Mr. GILCHRIST. I wish you would just say in a few sentences if you can, just what the Clarke-McNary law is and what it is like.

Mr. WATTS. The Clarke-McNary law was the law which provided for cooperation with the States in protecting forest land from forest fires, and there is one other section having to do with the distribution of forest seeds and planting stock; supplying that to farmers.

Another section had to do with forest extension education for farmers, and one section contained authority to study forest taxation and insurance. We are interested this morning in section 3 because it contains the limiting authorization on Federal appropriations for the protection of the private- and State-owned lands from forest fires.

The CHAIRMAN. Well, the Clarke-McNary bill only covers State and privately owned land.

Mr. WATTS. That is correct. Now Congress has recognized for a good while the need for greater participation by the Federal Government in this very important activity.

The Joint Congressional Committee on Forestry which reported to the Congress in 1941, after a very careful study, recognized that need and recommended for this particular activity a large increase in Federal participation representing half of the cost of adequate protection for that land. Beyond that, right at the present time, for the past 2 or 3 years, Congress has recognized the need for greater Federal participation through special appropriations in excess of the \$2,500,000 limitation.

The CHAIRMAN. Well, now, Mr. Watts, the only thing this bill does is to increase the authorization from \$2,500,000 to \$9,000,000?

Mr. WATTS. That is right.

The CHAIRMAN. Then it would be up to the Appropriations Committee to determine what amount would be appropriated.

Mr. WATTS. That is right. The point that I wanted to bring out was that in the fiscal year 1944, the Congress has actually appropriated \$6,300,000 but that amount exceeds the present authorization by \$3,800,000. It would seem logical to increase the authorization so that the annual appropriation would have the necessary legislative authorization and not be dependent upon legislation in the appropriation act.

The CHAIRMAN. Well, they say that the Federal Appropriations Committee has a right to make legislation.

Mr. WATTS. That has happened.

The CHAIRMAN. And they are trying to work out a bill now to give the proper authorizations on all of these items.

Mr. WATTS. You might want to know what progress we have made with this law over the years.

Mr. ANDRESEN. May I ask a question before you go into that?

Mr. WATTS. Yes.

Mr. ANDRESEN. This S. 45 adds on an amendment to existing law which provides for a study of the effect of tax laws, methods, and practices upon forest perpetuation to cooperate with appropriate officials of the various States, or other suitable agencies.

The CHAIRMAN. That is the present law.

Mr. WATTS. That is the present law; yes.

Mr. ANDRESEN. At the top it states, "is amended to read as follows." Now, what change has been made? What is the need for it? The only thing now before us is the amount of authorization.

Mr. WATTS. That is correct.

The CHAIRMAN. Yes.

Mr. ANDRESEN. Then I would like to ask you this: How long has this study of the tax laws of the various States been going on, and will it ever come to an end?

Mr. WATTS. Well, Congressman Andresen, it has been going on since shortly after the Clarke-McNary law was passed. Frankly, I suppose there will always be a need for a study of the problem as complex as the question of equitable forest taxation.

As you know, it is a very difficult problem and it has been approached just on the basis of a national study, and in those States which desired aid. As a matter of fact, our men that were working on taxation were recently transferred to another Federal agency and we are not doing much active work on it now, but I think the need for it will continue.

The CHAIRMAN. Does not the other bill provide for one-fourth of the proceeds of the sale of timber to the county units and the State units?

Mr. WATTS. That is correct, Congressman Flannagan. That has to do with the receipts from the sale of timber of national forests, but Congressman Andresen was asking about the study of taxation of privately owned and State-owned forest land.

Mr. ANDRESEN. Then, as I understand it, the only changes in the proposed bill would be in the amount?

Mr. WATTS. That is correct.

Mr. ANDRESEN. Increasing the amount?

Mr. WATTS. Increasing the amount.

Mr. ANDRESEN. From what figure to \$9,000,000?

Mr. WATTS. From \$2,500,000 to \$9,000,000?

Mr. HOPE. On that point, I would like to ask you to tell me this if you can, how much of this appropriation of \$2,500,000 has been expended for the activities outlined in section 3? I assume that has been a comparatively small part of the \$2,500,000 appropriation; is that correct?

Mr. WATTS. Section 3 is the tax section.

Mr. HOPE. That is what we are amending here.

Mr. WATTS. \$45,000 a year.

Mr. HOPE. \$45,000 a year?

Mr. WATTS. Yes.

Mr. HOPE. That is a very minor item.

Mr. WATTS. Yes.

Mr. HOPE. For the expenditures under the original Clarke-McNary Act?

Mr. WATTS. That is right. Perhaps you would like to know of the progress we have made over the years.

In the year 1912, that was the year after the Weeks law which preceded this law was passed, 11 States cooperated with the Federal Government in the job of protecting the land from fire. Sixty million acres of land were given protection. The Federal appropriation was \$51,000. State and private expenditures were \$237,000.

In 1925—that is the next year after the Clarke-McNary law passed—29 States cooperated in protecting 143,000,000 acres. The Federal expenditure was \$399,000 and State and private expenditures were \$1,844,000.

In 1943, 42 States and Hawaii cooperated under the law in protecting 291,000,000 acres and the Federal expenditure, including expenditures from the war emergency appropriation of slightly more than \$1,000,000, was \$5,026,000. The State and private expenditures were \$9,127,000.

There is every reason why the Federal Government should participate to the extent of 50 percent in this activity. In the first place, the public has a great deal at stake and many of those benefits which flow to the public from protecting this land have only incidental benefit to the private owner.

A few of those benefits to the public are that we protect the national welfare and forest resources. Second, by protecting this land we increase the water flow for domestic and commercial usage and for navigation and water power.

Three, by protecting this land we alleviate floods, soil erosion, silting of streams and reservoirs.

Four, we improve the recreational opportunities for our people and provide a better habitat for wildlife and for fish.

Now, all of these things are of tremendous public importance but they are only incidental so far as the land owner is concerned. Even more important as a justification for greater Federal participation is the fact that most of the fires which start on private land are started by people who go onto the land rather than by the landowners themselves. I mean that tourists and hunters and so on, are responsible for about 50 percent of the fires, and that ought to be a public obligation.

Mr. PACE. Do you have a copy of the Clarke-McNary Act?

Mr. WATTS. Not of the act. I have only a copy of the amendment.

Mr. PACE. May I have the amendment?

Mr. WATTS. Yes [handing document to Mr. Pace].

Mr. GRANGER. In what way besides fire protection is this bill applicable? What does the Forest Service do? You spoke of erosion and the silting of navigable streams and so forth. How is that protection carried on? What do you do to protect the public in that regard?

Mr. WATTS. Well, Mr. Granger, there are a great many ways. I am sure you know, as a member from Utah, the tremendous importance of the protection of our watersheds, and it has long been proved that if we have a satisfactory vegetative covering on the land, it does have a very great influence on the rate of run-off of water from

the land and on the amount of erosion. The work that Mr. Reed Bailey has done in Utah has proved that.

Of course, one of the other means is through the control of grazing use, and another way is through such work as that which has been done on a mountain back of Farmington, where we have put in some engineering works and done terracing of the slopes. Destructive floods have been stopped there.

Mr. GRANGER. Also the extent of protecting the water which lies in between the communities up there?

Mr. WATTS. That is correct. Actually, the question of adequate fire control of State and private forest lands is basic to any satisfactory forestry program in this country. During the past summer, the early past summer, I took a trip down to Florida. I traveled from Lake City to Tallahassee, and almost all of the way on that trip of several hundred miles, the area had been burden over last spring, and very little of that was under any type of organized fire protection. Just this week I have been down in Virginia and have seen great areas that have been burned over there in the coastal plains and lower Piedmont area. The State forester showed me those areas, one of them 12 miles long and a mile wide, and two other areas about as bad, where everything had been killed. Obviously, the incentive for private owners to attempt a long-time business with that threat hanging over them is not very good. It is of tremendous importance that the Federal Government meet its full share of his obligation.

As a matter of fact, 137,000,000 acres of forest lands in this country are given no organized protection against fire. Whatever protection this land gets is just incidental, and it is our hope that gradually, with this authorization raised to the full 50 percent of the cost of adequate protection, over a period of a few years and as fast as the States are able to match the Federal Government's share, we will be able to catch up with the fire-protection job. Some of the States, as I am sure you will be told later on, have already been spending very much more than the Federal Government spends for this job.

Mr. HOPE. Let me ask you a question right there. What do you think the effect of this increase in appropriation will be as between the following alternatives? Will it mean that there will actually be more money spent and more work done or will it mean that the States will cut down their participation and depend to a larger extent on Federal appropriation?

Mr. WATTS. I haven't the slightest thought that that will happen. Every indication is that the States will not reduce their share. In many of the States already they have appropriated money far beyond the Federal contribution and I would expect them to continue to do so, and in many of the heaviest timber States, it is my opinion that the local people, the State people and the industry, will want to go along with their own money, away beyond the level set by the \$18,000,000.

The CHAIRMAN. Well, would the Federal Government, under the Clarke-McNary law, put up more than 50 percent?

Mr. WATTS. No.

The CHAIRMAN. That is what I thought.

Mr. WATTS. But what I am getting at is that I think in States like Washington and Oregon, the States in the Pacific Northwest, the

Federal Government under the Federal law, can only put up 50 percent; 50 percent of what we consider to be the cost of adequate protection.

Mr. HOPE. The reason I asked that question is not because of any information I had on this particular subject.

I do not pretend to know what the States have been doing, and what they might do if we increase this appropriation, but I do know in connection with other matters where there is State and Federal participation, that in some cases, where the Federal Government puts up more money, the States cut down their appropriation by an equal amount, thus throwing a greater burden on the Federal Treasury without any increased results. The fact is that a lot of States today are in a much better position to carry on these activities than they have ever been previously.

The CHAIRMAN. But don't you think that the provision requiring an equal amount from the States takes care of that?

Mr. HOPE. Well, I think in the main it would certainly help keep that thing from happening but, at the same time I am getting a little irritated, I might say, by getting letters from people in the States telling how efficiently the State governments are being conducted, telling how much they cut down their expenditures and how much they are saving, and criticizing the Federal Government for wasting money, and that sort of thing. When you come to analyze it, all that has happened, is that they have been cutting down their appropriations because the Federal Government at their request has been increasing its appropriations.

The CHAIRMAN. I don't believe it applies to this situation.

Mr. WATTS. I don't believe it does.

Mr. GILCHRIST. I don't think it appears, Dr. Watts, from what you said, that you can only spend 50 percent, an equal amount to what the State spends. You have stated it to be 50 percent of what they think is necessary. Well, that does not mean that the State has got to put up the other 50 percent. Is that definitely in the law?

Mr. WATTS. Yes.

Mr. GRANGER. They cannot spend a dollar unless the State puts up another dollar?

Mr. WATTS. That is right.

Mr. PACE. Get that clear, that is State and private owners.

Mr. WATTS. Yes.

Mr. PACE. We have sometimes put in a saving clause on the point you are making by simply having included "in no event less than the contribution which was made during the year 1943," which would prevent a cut-back by the State.

Mr. HOPE. I think that would be all right.

Mr. ZIMMERMAN. As I understand it, it is comparable to the money that the Government puts up to match building of roads, where the State puts up an equal amount to get Federal aid.

The CHAIRMAN. Yes.

Mr. ZIMMERMAN. Along the lines of Mr. Hope's observation, the other day I received from a member of our State constitutional convention that is in session now, a letter, wherein he said they submitted a provision for the approval of the constitutional convention which would prevent the State from receiving any gift, bonus, or help from

the Federal Government in any sum whatsoever. In other words, completely divorcing the State from financial aid from the Federal Government.

Mr. WATTS. Congressman Zimmerman, you need fire protection money in Missouri, either Federal or State.

Mr. ZIMMERMAN. I am just trying to emphasize the point that Mr. Hope said that he was getting a lot of letters.

Mr. HOPE. Of course, that is going to the other extreme.

Mr. ZIMMERMAN. But it does show a trend or tendency on the part of people in some states. I told them it would be suicidal, it would be foolish, for example, in a program like a road-building program. Missouri would not have had such fine roads as it does except for the aid from the Federal Government.

I want to say that, as a member of the Flood Control Committee, for several years, we made a very exhaustive study of the causes of floods and we came to the conclusion that the whole problem of flood control, the problem of erosion, the lack of water supply in certain sections, all of those were tied up with the problem of our forests. In other words, the tree butcher that has denuded the forest and the failure to plant back left our great areas exposed, and the rapid runoff of water deprived all those sections of water. Springs dried up and whole areas became dry, and there were terribly damaging floods, and the whole thing is tied up in this flood-control program.

Mr. WATTS. That is correct.

Mr. ZIMMERMAN. In other words, you make a report and the Department of Agriculture makes a report, and I think it is one of the most constructive pieces of legislature that has ever been passed, and in times to come, it will help solve these problems. It helps to retard the flow of water and I think this is one of the greatest programs that has ever been undertaken, and I want to express my approval of the fine work which the Forest Department has done, and the co-operation that has been given. They taught the local people and the states how to work to the best advantage of the general public.

Mr. WATTS. Mr. Chairman, I do not intend to take up a lot of your time. This question was given very deep study by the joint congressional committee under the leadership and guidance of Mr. Fulmer who, unfortunately, is not here. They found that action such as is recommended this morning is desirable.

The department and the Forest Service have consistently recommended that the authorization under the Clarke-McNary law be raised to a point where Congress, without special legislative language, would be able to appropriate sufficient money for matching the amount the states had provided, so needed for adequate protection.

Mr. PACE. Let me say first that I regret Mr. Fulmer's health is such that he could not be here, because he has given so much of his life to the work being done by your department.

Mr. WATTS. That is right.

Mr. PACE. Covered under this act.

Mr. WATTS. That is right.

Mr. PACE. I notice that there are separate provisions in the act providing seed and plants, and also separate provisions, providing for aid to individual owners, each of \$100,000.

Now, have you made any requests for the increase of those funds?

Mr. WATTS. We haven't. The report of the Forest Service to the joint congressional committee made some recommendations but, at this time, we are only considering the most urgent need covered in this Clarke-McNary Act, and that is for adequate fire protection for State and privately owned land. I mean, that is basic to any forest conservation.

Mr. PACE. I assume the department approved this request.

Mr. WATTS. They have.

Mr. PACE. Now, this section 3 also authorizes the expenditure of funds for the plan of insurance on various lands. Has any progress been made on that program?

Mr. WATTS. I hope you gentlemen realize that I have only been Chief of the Forest Service for a few months. I have been a field man before that time and therefore, some of these questions I am not familiar with, but I do know that a very careful study was made of the question of insurance of private forest lands against fire. It may be a field in which private capital such as insurance companies will not care to venture very far. They have done so, I believe, in only a few instances.

Mr. PACE. Why can't the owners establish their own mutual co-operative? I don't like to see the Federal Government going into that.

Mr. WATTS. Well, I am not a student of insurance. Certainly, if the private owners or the present insurance companies can see a field there for private capital, it should be handled that way.

The CHAIRMAN. Well, insurance is not involved in this bill, is it?

Mr. WATTS. Not at all.

Mr. PACE. Yes, it is.

Mr. ZIMMERMAN. May I make an observation, Mr. Pace?

Mr. PACE. Yes.

Mr. ZIMMERMAN. I believe you want to say something, Mr. Chairman.

The CHAIRMAN. We never have appropriated any money for insurance.

Mr. PACE. You estimated this \$2,500,000 for a study of the land.

Mr. WATTS. That was simply for fire prevention and the protection of the land from fire, that \$2,500,000, with some of it out for taxation studies.

Mr. PACE. But this is "to investigate and promote practical methods of insuring standing timber on growing forests from losses by fire."

The CHAIRMAN. Well, to protect it.

Mr. GILCHRIST. Does not the gentleman think he has misconstrued the meaning of the word "insurance"?

Mr. PACE. I thought at first I had, but after reading further, I think it is clearly a matter of fire insurance.

Mr. WATTS. As a matter of fact, Mr. Congressman, out of this law was financed the salary of one man and a clerk, and perhaps a little bit more to make the study of the possibility of insurance for private-owned land or State-owned land.

Mr. PACE. The thing I was objecting to was this waiting until the Federal Government comes into the field. The Federal Government has been in the field on crop insurance and is now getting out of it, and I had hoped that that would be a signal to you to promote

a mutual cooperative among the people, and not wait for the Federal Government to get into a private field.

Mr. WATTS. There is no immediate intention of going into that field.

Mr. GILCHRIST. There is no plan to insure Federal forests.

Mr. WATTS. No, and we are not proposing in this legislation to insure private land.

Mr. GILCHRIST. But this study of insurance only relates to privately owned land?

Mr. WATTS. Yes; to determine whether any kind of fire insurance is feasible.

The CHAIRMAN. But that is not in this bill?

Mr. WATTS. No; that is not modified by this bill.

The CHAIRMAN. Now, Doctor, do you desire to file with the committee a further statement?

Mr. WATTS. Yes; possibly.

The CHAIRMAN. If you do, we will be glad to have it printed for the record.

Mr. WATTS. Thank you.

Mr. PHILLIPS. There was a question asked by Mr. Zimmerman and which has been answered, and that, as I understand it, is that for every dollar of the \$45,000 there has been a matching appropriation of an equal amount of dollars by some State or by private interests. That is, from the beginning it has been a matching appropriation; is that correct?

Mr. WATTS. That is correct.

Mr. PHILLIPS. Then, is this applied equally to private land, to State land, and to Federal land?

Mr. WATTS. No. This applies only to State and private land.

Mr. PHILLIPS. Only to State and private land?

Mr. WATTS. Yes. The Federal lands are protected through funds which Congress appropriates for that purpose.

Mr. PHILLIPS. Now, in connection with State lands, do the respective State governments have anything to say about policy or about the conduct of the investigation, and so forth?

Mr. WATTS. The carrying on of the work, you mean?

Mr. PHILLIPS. Yes; the carrying on of the work, Mr. Watts. I mean how it is being done and what is being done.

Mr. WATTS. The money is allotted to the State and then the State forest service, or some similar State agency, administers the protection program. We simply inspect to see that the Federal requirements are lived up to.

The people are under the employ of the State, and we do not administer the program.

Mr. PHILLIPS. In the program that is being carried on, and we are talking about at the moment, there is no planting or anything of that sort involved?

Mr. WATTS. No.

Mr. PHILLIPS. This is just a study of the situation and the possibility of beating the fire hazards?

Mr. WATTS. This is Federal participation in the actual protection of the State and private lands against fire.

Mr. PHILLIPS. I thought this was an investigation of how it is to be done.

Mr. WATTS. No; actual participation in doing the work.

Mr. PHILLIPS. Now, in connection with the investigation, as you know, we have had a very serious problem of loss of forests by reason of taxes in the first and second districts of California. Have any reports been issued that that would cover that issue?

Mr. WATTS. Possibly that was presented to the joint congressional committee.

Mr. PHILLIPS. Thank you.

The CHAIRMAN. Now, Mr. Poage has a question.

Mr. POAGE. I have to confess I came in late and I am sorry to take the time of the committee, but Mr. Phillips' question shows that there are others that do not understand what I fail to understand. From the propaganda that I received about this bill, I have understood it was legislation to authorize the Federal Government to help the States prevent forest fires and to protect our forests.

Mr. WATTS. That is correct.

Mr. POAGE. To that I do not think there is any serious opposition, but when I read this bill, I can't see a thing in the world in it that provides for anything except an authorization for \$9,000,000 to carry on a study.

Mr. WATTS. The original Clarke-McNary Act authorizes the Federal Government to appropriate \$2,500,000 a year to aid the States in protecting State and privately owned land from fire. Over the years, that has been found to be entirely too small a share for the Federal Government.

Mr. POAGE. I understand that.

Mr. WATTS. And it is proposed to authorize appropriations up to \$9,000,000.

Mr. POAGE. But I still do not understand, and Mr. Pace calls my attention to the fact that this is part of a general bill which I understand, but all this does, as I see it, is to amend section 3 of the act of June 7, 1924, and it is amended to read as follows, and then it amends it so the Secretary of Agriculture can spend \$9,000,000. "To carry out the provisions of sections 1, 2, and 3 of this act." In other words that would include 1 and 2 as well as 3.

Mr. PACE. That is right.

Mr. WATTS. But if you will look at the last line on the second page you will see what the purpose of it is.

The CHAIRMAN. Mr. Watts, there has been some misunderstanding among the members of the committee as to just what S. 45 will do. Let me see if I am correct in making this statement.

Under the Clarke-McNary bill, an authorization of \$2,500,000 was made for the purpose of assisting in protecting State and private lands.

Mr. WATTS. That is right.

The CHAIRMAN. And private lands in fire protection.

Mr. WATTS. That is right.

The CHAIRMAN. Now, under the original bill, when the Federal Government put up a dollar the State or the individual owner of the forest had to put up a dollar?

Mr. WATTS. That is right.

The CHAIRMAN. Now, all this bill does, as I understand it, is to increase the authorization.

Mr. WATTS. That is right.

The CHAIRMAN. From \$2,500,000?

Mr. WATTS. To \$9,000,000.

The CHAIRMAN. From \$2,500,000 to \$9,000,000; is that correct?

Mr. WATTS. That is correct.

Mr. PACE. In that connection, in order to avoid the confusion existing in this committee, and much greater confusion that would exist on the floor, if the bill were reported out like it is now, wouldn't it be the smart thing to change the bill by simply striking \$2,500,000 and inserting \$9,000,000? Then it would be apparent that the bill had only one purpose and there would not then be confusion with regard to amending the tax laws and so on.

Mr. PHILLIPS. You mean just change the printing of it so it will show that?

Mr. PACE. Report out a new bill, so in section 3 we could strike \$2,500,000 and insert \$9,000,000.

Mr. HOPE. Right there you get into a very controversial matter as to legislative draftsmanship. I think this is the preferable way because when you read this you know what the law is. Now, if you say that the authorization under section 3, under such-and-such an act, has been increased to \$9,000,000, everybody has to hunt up the act and see what has been done. If you leave it this way, everyone knows what has been done.

Mr. PACE. The point I am making is that not one dollar is requested for section 3. Every dollar is requested for section 2, which is not shown in the bill.

Mr. HOPE. That is true but, nevertheless, I think there would be less confusion if you followed this procedure, rather than bring in a bill which does not relate to this particular act or anything else except by reference. That is what we would have to do if we brought in another bill.

Mr. GRANGER. Mr. Chairman, I would write in sections 1 and 2 in the bill to make all this clear.

Mr. HOPE. That would be superfluous, and anyway, I think the report can cover that.

The CHAIRMAN. Suppose we get into the phraseology when we are in executive session. We have a number of witnesses that I would like the committee to hear.

Mr. GILCHRIST. I wanted to know about this tax business here. This is the study of the tax law.

Mr. WATTS. This bill is not intended to affect that portion of the bill. This amendment has to do only with increasing the authorization for cooperating with the States in the protection of land from fire.

Mr. GILCHRIST. Then why is that tax suggestion in this bill S. 45 when it refers to an appropriation? It says it is deemed advisable to study the effect of the tax law. Of course, the Federal Government cannot impose taxes on lands privately owner or State-owned land.

Mr. WATTS. Surely.

Mr. GILCHRIST. Now, wherein, I ask then, does this tax idea relate to either this bill or the Clarke-McNary bill?

Mr. WATTS. The Clarke-McNary Act, in its reference to taxation, authorized study of forest tax methods. Not to bring about any Federal taxation, but to assist the States in working out some equitable methods of forest taxation.

Mr. GILCHRIST. Of course, the States would have to do that; we can't do it.

Mr. WATTS. That is right. All we would do is to assist them through whatever facilities we had in making the study of the proper methods.

Mr. GILCHRIST. What is the matter with the tax laws of the several States now?

Mr. WATTS. Well, I am sure that many of them are satisfactory but, in general, there has always been a great deal of discussion as to whether the usual property-tax system applies particularly well to a crop, the harvest of which is deferred for a good many years. It is a very difficult proposition.

Mr. GILCHRIST. That is exactly it; I would like to know why. Now, that seems a sensible item that you just mentioned. I would like to know about it.

The CHAIRMAN. Mr. Gilchrist, as I understand it, there is no thought that the McNary legislation contained a provision authorizing the Federal Government to make a study of the proper method of taxing these lands where we are getting very little return.

Mr. WATTS. From any land.

The CHAIRMAN. Or practically no return, and that is the only reason that appears here. They just repeated section 3 and the only thing from the Clarke-McNary bill that is applicable is to increase the authorization from \$2,500,000 to \$9,000,000.

Mr. HOPE. Mr. Chairman, may I say something?

The CHAIRMAN. Mr. Hope.

Mr. HOPE. You have, no doubt, got together some figures in justification for an increase in this authorization to \$9,000,000. What is the basis for asking for that particular amount? I mean, why is it 9 instead of 10 or 6 or 11 or something else?

Mr. WATTS. The Federal Government and the States and the private agencies having to do with the protection of forest lands from fire have given very careful joint study to this problem and have reached the conclusion from these studies that the total cost of adequate fire protection would be about \$18,000,000. That was based on cost prior to the war when the study was made. For reasons which I gave here earlier, it is the opinion of all agencies concerned and of the Congress in passing the Clarke-McNary laws, that the equitable portion of that cost for the Federal Government would be half, on the basis that they would match the State dollar for dollar.

Now, I doubt that you could get out a very scientific formula for arriving at the half. That is primarily a matter of judgment.

Mr. HOPE. Now, is there \$18,000,000 now being spent by the States and the Federal Government?

Mr. WATTS. No; because there are 137,000,000 acres that are not being given protection at all, and much that is protected is not up to a very satisfactory standard.

The last year the State and private agencies spent something more than \$9,000,000, and the Federal Government about \$5,000,000.

Mr. HOPE. If we pass this legislation, then you expect to come before the Appropriations Committee with a budget that will call for \$9,000,000, do you?

Mr. WATTS. Not immediately. We would expect to gradually build up the Federal share over a period of years because in any State we could not go faster than the State goes. If adequate protection, let us say, in a State was \$200,000, we will just use round figures, but the State only appropriated \$50,000, then under the law we would not be permitted to spend more than \$50,000, and we would have to gear our increase to that.

Mr. HOPE. What do you estimate that you would ask for the first year that this law might be in operation?

Mr. WATTS. That will depend on the extent to which the States made funds available for fire protection, and it might take perhaps 5 years to get up to the \$9,000,000 cost to the Federal Government.

Mr. HOPE. Now let me ask you about the excess over \$2,500,000 which has been appropriated and spent by the Federal Government for this purpose. That is the difference between the \$2,500,000 and the approximately \$5,000,000.

Mr. WATTS. Yes, in 1943.

Mr. HOPE. Which you mentioned.

Mr. WATTS. Yes.

Mr. HOPE. Has there been a requirement in the appropriation bill that that be matched by the States?

Mr. KOTOK. If I may answer this question. In the fiscal year 1943, all Federal funds available for the protection of State and private land required matching. In the fiscal year 1944, the Congress authorized the expenditure of \$2,300,000 without matching out of a total appropriation of \$6,300,000. This proviso was added in recognition of the fact that in certain areas a degree of protection was required for national security reasons, which was essentially not a State responsibility.

For example, the Dismal Swamp in Virginia, the coastal areas on the coast that the Army wished to protect, some of which is not forest land, was handled without matching by State funds.

Mr. PACE. Along the point made by Mr. Hope, would you have any objection to the insertion of this language in the appropriate place in the act:

Provided no amount shall be expended by the Federal Government under this act in any State during any fiscal year where the amount expended during such fiscal year is less than the amount expended by the State for the same purposes, including the expenditures of the forest owner during the year 1943.

The CHAIRMAN. That is just a repetition of what is in the bill.

Mr. PACE. No; it is not a repetition.

The point was made that there might be some States that would take advantage of an increased Federal appropriation and decrease their contribution.

The CHAIRMAN. You can't do it under the Clarke-McNary law. For every dollar that the Federal Government puts up, the State Government has to match that dollar.

Mr. PACE. The point that has been made is that previously if the State put up \$2 and the Federal Government a dollar, and the Federal

Government increased their contribution and the State decreased their amount, then the proportion would be one to one instead of two to one. This bill should not be for the purpose of relieving the States of their present contribution.

The CHAIRMAN. It looks to me as though you are getting into a mess. Under the present law it takes dollar for dollar. We can't say to the States that they have to put up more than the dollar. We can say to the States that they have to put up a dollar before they get a Federal dollar.

Mr. WATTS. I believe that is right.

Mr. VOORHIS. I would like to ask Mr. Pace. Would not the effect of your amendment be to put a further limitation on it so if a State reduced its appropriation for its forestry purposes, then it could not take advantage of this Federal money, even to the extent of a matching amount? Am I right?

Mr. PACE. If a State had been contributing \$500,000 and the Federal Government had been contributing \$250,000, under this amendment the Federal Government's contribution could be stepped up, say, to considerably more than \$200,000.

The CHAIRMAN. Well, the Federal Government today can go up to \$500,000 under the Clarke-McNary Act.

Mr. HOPE. If they have the money.

The CHAIRMAN. If they have the money.

Mr. PACE. That is right.

The CHAIRMAN. You are just confusing it by the addition of an amendment.

Mr. HOPE. I think Mr. Pace has a very important point, and I am not prepared to say that I would be against his amendment. That is a thing that I think the committee ought to consider, some States are better able to appropriate money for this purpose than other States are, and they have been doing it. They have been appropriating more than the 50 percent they are required to under the Clarke-McNary Act. If they have been doing it, they should continue to do it in the same proportion that they did before. I don't think we should pass legislation here that would simply permit them to shift that burden back to the Federal Government.

Mr. VOORHIS. Will you yield for a question?

Mr. HOPE. Yes.

Mr. VOORHIS. Does that mean that if a State has been contributing \$3 for every dollar from the Federal Government, in the future, in order to take advantage of it, it would have to continue in the same ratio?

Mr. HOPE. No; not in the ration but in the amount.

Mr. VOORHIS. In other words, if a State had appropriated \$2,000,000 in the past, with a Federal contribution of say \$1,000,000, then under the terms of the Pace amendment, they would be able to get up to \$2,000,000 without changing their appropriation?

Mr. PACE. Yes.

Mr. VOORHIS. But if they new reduced their amount below \$2,000,000 then they could get no more Federal money at all. Is that correct?

Mr. PACE. It means that the State's expenditures must be the amount they were in 1943.

Mr. VOORHIS. Up to the total number of dollars that they were?

Mr. PACE. That is right.

The CHAIRMAN. Suppose we get back to the question that the committee has before it.

Mr. WATTS. If I could say a word, Mr. Flannagan.

Mr. HOPE. I would like something further on it.

Mr. WATTS. It seems to me that the suggested amendment would lead to a good deal of confusion and it would lead to a good deal of uncertainty as to what you mean by matching State money. I mean, in the one instance, in effect we might be saying that in one State we will spend \$1 of Federal money for a dollar and a half or \$2 because they would always have to keep ahead, wouldn't they?

Mr. PACE. No; it has no such meaning.

Mr. WATTS. It would have no such meaning?

Mr. PACE. No.

Mr. WATTS. Well, it would seem to me that the law, as it stands, is simple and we haven't had any indication that I know of, of States backing up on maintaining their contributions in fire protection.

Mr. POAGE. Well, they have had that experience in regard to roads. The Federal Government spends more money than anyone else on the roads.

Mr. WATTS. Yes.

Mr. POAGE. We have had the experience in the matter of backing up in connection with the roads, and to prevent that, for a number of years we have been writing into the act, the road-aid law, a provision that the State will lose its aid if it diverted money that had come to the road fund by some other use, and some States have temporarily lost their entire Federal matching because they simply unloaded on the Federal Government, rather than maintain the same obligation that they had carried on previously.

Mr. WATTS. During the war, certain States have really spent a lot of money for this particular activity and we might find ourselves being very unfair to those States who had gone all out in fire protection. We might find ourselves being very unfair because much of the increases because of the war might be discontinued by the State and they could not be forced to continue to do it after the war emergency.

Mr. POAGE. Wouldn't it be equitable to say that we should go back to 1941? That they should not match with them unless the State continues to put up the same amount of money that it put up in 1940 or 1941?

Mr. WATTS. Well, actually, Congressman Poage, you are asking a question that I haven't given much thought to. I am not too certain about it.

The CHAIRMAN. I think the committee ought to go into executive session as to the phraseology. We want to get as much information on the bill as possible and we have all these witnesses here this morning. Mr. Gilchrist has one question he wants to ask.

Mr. GILCHRIST. I would like you to clear this up for me.

Suppose we should pass this law, then some State greedily appropriates \$6,500,000 for the one State. That is the full amount of our extra appropriation, from \$2,500,000 to \$9,000,000. Then, under the law, we would have to appropriate \$6,500,000.

Mr. WATTS. No.

Mr. GILCHRIST. And the other States would not get anything. Is that provided for in the bill?

Mr. WATTS. Well, no State could obtain a Federal allotment in excess of 50 percent of the estimated cost of adequate protection, as agreed upon in an appropriate agreement between the State authorities and the Secretary of Agriculture. This precludes allotments to States for help beyond 50 percent of the cost of adequate protection.

The CHAIRMAN. Now, the next witness is Mr. Fred C. Pederson, State forester of Virginia. I would like to present Mr. Pederson to the committee. I have known him for a number of years. He has been the head of our State Forestry Department and, in my opinion, he is one of the outstanding foresters in the country.

We will be glad to hear from you, Mr. Pederson.

**STATEMENT OF FRED C. PEDERSON, STATE FORESTER,
RICHMOND, VA.**

Mr. PEDERSON. Thank you.

Mr. Chairman and gentlemen of the committee, I was out in the field when I learned that this hearing on Senate 45 was to be held this morning and I have not been back to my office since that time. As a result, I have not been able to prepare any formal statement for the record for your consideration, but at Mr. Flannagan's suggestion, when I get back to my office, I will prepare such a formal statement and present it to you.

My remarks this morning must be very informal. As State forester of Virginia, I can only repeat that I represent the forestry department in Virginia, but I am also representing the Association of State Foresters. I can say without reservation, or without any exception, that every State forester in the country—41 of them—are solidly behind this particular bill. As a matter of fact, I think that every forestry agency in the country, or any agency in the country that is interested in better forest land use endorses and supports this proposed legislation.

As a matter of fact, for several reasons and not the least of which is the very happy experience we have had since the bill was enacted in 1924, the Clarke-McNary law. Forest-fire control is basic and fundamental, in my opinion, to any adequate system of forest land use.

If a timberland owner in Virginia wants to grow timber for lumber, for pulpwood, for excelsior, or for any other forest product, if he wants to use his land for recreational development, or if he wants to propagate game or wildlife or if it is in a watershed area, you cannot attain those objectives, any one or any combination of them, unless those areas are adequately protected from fire.

As a matter of fact, in my opinion, forest-fire control is so basic, so important that I would say it represents the common denominator of all our forest activities.

Now I don't want to generalize because I don't have any specific information about the forest-fire problem in the Pacific coast or in the Western States or in the deep south, but I have been with the Virginia Forest Service for the past 22 years and I think I can give you a fairly accurate picture of the problems we have in that State.

As a matter of fact, Virginia, you might say, represents a typical State in the Union. We are midway, so far as latitude is concerned. We are on the Atlantic seaboard. We have greater fire hazards than any of the New England States, and I don't think that any of the Southern States has any greater fire hazard than we have.

Mr. HOPE. How many acres of State forests do you have in Virginia?

Mr. PEDERSON. You are speaking of State-owned or private-owned?

Mr. HOPE. State owned. Do you have State-owned forests?

Mr. PEDERSON. Yes, we have about 40,000 acres approximately of State-owned forests.

Mr. HOPE. How large an acreage of privately owned forest land have expenditures been made upon in connection with the Clarke-McNary Act? How much of that land do you cover?

Mr. PEDERSON. Well, to give you the complete picture of the forest lands in the State, we have approximately 15,000,000 acres in Virginia which is about three-fifths of the total land area in the States. Exactly, it is 14,832,000 acres. Of that 14,832,000 acres, approximately thirteen and a quarter million acres are privately owned and State owned, and 40,000 acres in State forests. Of the privately owned holdings in the State, over 7,000,000 acres are owned by farmers, the balance is owned by operating lumber companies and pulp companies and other individuals other than farmers.

Mr. HOPE. How much does your State expend in matching this fund, or maybe more than matching it, but how much does the State spend?

Mr. PEDERSON. Our expenditures will vary anywhere from \$150,000 to \$250,000 a year, depending on the severity of the fires. In Virginia the counties are required to pay the fire-fighting cost. It is mandatory that they pay the fire-fighting cost, and those costs will vary, depending on the severity of the fire.

Mr. HOPE. And this figure you have given includes the State and county?

Mr. PEDERSON. That is right.

Mr. HOPE. Does that include expenditures by private owners also?

Mr. PEDERSON. Yes, but in Virginia there are certain expenditures by private owners which are not covered. That is, we have protective assessments in our State. There are a lot of expenditures made by the pulp companies and the operating companies which are not included in the budget because they do not pass through our office. As far as protective assessments are concerned, they pay a cent and a half and that comes into our office, and we spend that.

Mr. HOPE. There are some private expenditures that you have not included in your statement?

Mr. PEDERSON. There are some private expenditures and there is a certain amount that is not spent under our jurisdiction or supervision. That is not included.

Mr. HOPE. How much do you get from the Federal Government?

Mr. PEDERSON. Our allotment for the fiscal year was \$51,000, as I recall it and the State appropriation was \$101,000 and then the balance is spent by the counties and by individuals.

Mr. HOPE. You probably would not be in favor of Mr. Pace's amendment.

Mr. PEDERSON. Well, I think it would unnecessarily complicate the legislation.

Mr. PACE. That is all, Mr. Chairman.

The CHAIRMAN. Do you have any further statement you desire to make?

Mr. PEDERSON. Yes.

Mr. POAGE. If this bill passes without the Pace amendment, would it probably not mean that the legislation would cut your appropriation by \$75,000? You would have the same amount of money you put up, is that what would happen?

Mr. PEDERSON. I can be positive that the Legislature of Virginia is not going to cut our appropriation for the Department of Public Conservation. There is too much sentiment in the State in favor of protecting those reserves.

Mr. POAGE. I don't think the legislature intends to cut the appropriation but where it will be less than the amount of money that is being spent today. I agree with you that public sentiment wants to protect the forests but I would figure that I could cut that appropriation down to where the amount of money was equal. If your State cut its appropriation down to meet the Federal, there would not be any public outcry against it, and there are not 3 people in Texas out of 6,000,000 that would protest if there was a larger share of Federal money.

Mr. HOPE. Name three.

Mr. POAGE. I could not name the three.

The CHAIRMAN. Let me say here that that is just penalizing the States that have been progressive in fire protection. That is what you are doing.

Mr. PEDERSON. Yes, indeed.

The CHAIRMAN. And you are not putting all the States upon an equal footing.

Mr. PEDERSON. That is right.

Mr. VOORHIS. Let me ask, Mr. Chairman, what would happen to the State of Virginia if the State of Virginia cut their appropriation down to \$91,000? How much Federal money would they get then?

Mr. PACE. Under the amendment as drawn, if they reduce their expenditures, and the witness says no such thing is possible, but if they reduce their expenditures they would get no aid.

Mr. VOORHIS. None at all?

Mr. PACE. None at all.

Mr. VOORHIS. Not even the matching?

Mr. PACE. That is right. You have mentioned the vital need and I thoroughly agree with you, as to forest protection and protection against fire. One of the great problems we have down in my State of Georgia is the destruction of our woodland by the cutting of our trees and no effort being made with regard to reforestation, particularly by the pulpwood companies. They are just cutting everything from 4-inch trees and on up.

Don't you agree with me that regulations of cutting and the requirement of reforestation are just as important and may be more important than fire protection?

Mr. PEDERSON. Mr. Pace, I wouldn't say it was more important. I would say our important problem is fire.

Mr. PACE. I would say it is a little more important because my State is suffering today, from the limited knowledge I have, a great amount of destruction of our forests by cutting, much greater than by fires. I think, too, that our States are all suffering more from the wanton destruction of our woodlands by cutting of 4- and 3-inch trees, just leaving enormous cut-away areas, with no obligation apparently to reforest them or restore them, than anything else; and at the rate we are going in Georgia we are not going to have any woodlands left, and it is not due to fires.

Mr. PEDERSON. Well, that is also true in Virginia.

Mr. POAGE. We have enormous pulp and paper-cutting companies that have sent agencies into every county and they have gone so far as to divide the State into sections. The different companies have an agreement where one company is in one county and another company doesn't go into that county. There is no competitive thing to it at all.

Mr. VOORHIS. You ought to refer that to the Antitrust Division.

Mr. POAGE. We tried to. There is no competition at all. Each company has taken over a section and it goes in there, and in most of the cases there is hardly enough even to cut, and in my State we are suffering more enormous losses through that practice than we are by fire.

The CHAIRMAN. That is not the problem here.

Mr. PACE. If you fellows believe in State rights, why don't you go out and exercise such rights?

Mr. POAGE. Well, it is a problem, Mr. Chairman, that has been considered by Mr. Fulmer.

The CHAIRMAN. If they are violating the antitrust laws they should be looked into.

Mr. POAGE. I do not see why the Forest Service should not be as concerned about one as about the other.

The CHAIRMAN. But the Forest Service is helpless in a case like that. It is a case for the Department of Justice.

Mr. POAGE. About denuding the territory, yes, but not in the practice of reforestation.

The CHAIRMAN. I think they are vitally interested in that.

Mr. PEDERSON. We are. That is one of the major problems that concerns the country today, and I think there has been considerable and unjustified overcutting of timberland, and I have gone on record in Virginia for a State law requiring conservative practices.

Mr. PACE. You don't have any such laws?

Mr. PEDERSON. The only law is that we require the planting of seed trees, but that problem is greater than the fire angle.

How can we expect timberland owners to invest their money in good-management practices, to conservatively cut their timber, to leave plenty of timber on the land for future operations, or to plant trees on denuded land unless we can give those timberland owners reasonable assurance that their final harvest is going to be a crop of trees and not a crop of dead snags and ashes?

Mr. ZIMMERMAN. I just want to say this, as I said in my statement awhile ago: I think the tree butchers in this country have done more harm to the forests of this Nation than any other group, and it is a

crime that we let them do that and not require them to do the reseed-ing and replanting that prevents the running-off of water. Somebody, I say, has been derelict in their duty and I think the States and the Federal Government ought to go as far as they can to protect that very phase, but the States can do a lot more than we can.

Mr. PEDERSON. I don't think there is any question but that we will have State regulation on cutting privately owned timberland.

Mr. ZIMMERMAN. Well, I think that is true, and you have an extension department, do you not?

Mr. PEDERSON. Yes.

Mr. ZIMMERMAN. That is where you can do a lot of good, by educating the people down in the State of the importance of all this. We have a conservation commission in our State which is given very broad powers over timber and game and water, and it is all in the hands of this commission, and we amended our constitution so they had full power and authority and the legislature can't tinker with them, and they make great progress, and they are back of this bill a hundred percent because they know about the future of timber resources in the country.

I am for this bill. It is a step in the right direction, and every dollar spent is going to make many more dollars in years to come.

(The statement submitted by Mr. Pederson is as follows:)

COMMENTS ON SENATE BILL 45 AT COMMITTEE ON AGRICULTURE MEETING BY F. C. PEDERSON, STATE FORESTER OF VIRGINIA, DECEMBER 3, 1943

Mr. Chairman and gentlemen of the committee, I first want to call attention to the fact that I am respectfully requesting the committee to favorably report on Senate bill 45, which increases the authorization of section 3 of the Clarke-McNary law from two and one-half to nine million dollars, not only for the benefit of forest-land owners in Virginia but also in behalf of the National Association of State Foresters. Without a single exception, this particular bill is endorsed and supported by every 1 of the 41 State foresters in the country. For that matter, I believe that every forestry agency in the United States and every agency that is interested in maintaining our forest lands in a more productive condition favor its enactment. Certainly, I believe that any or all agencies having anything to do with forest-land management should support the enactment of the bill because of the satisfactory experience that we have had with the Clarke-McNary pattern of cooperation since the enactment of the law in 1924, and because, without doubt, the greatest obstacle to keeping our forest lands continuously producing merchantable timber crops is widespread uncontrolled fire.

Adequate forest fire control is basic and fundamental to any sound program of forest land use, whether the object of management is timber or pulpwood production, the prevention of soil erosion, the preservation of water supplies for domestic or industrial use, the conservation of game and wildlife, or the development of our recreational resources. As a matter of fact, I would say that adequate protection of our timberlands from fire is so all-important that we may properly designate it as the common denominator of practically all of our conservation programs.

Because of the detailed information which I have about forest conditions and the forest fire problem in Virginia, I am confining my remarks to the needs of the situation in my own State.

The major forest problem in Virginia is essentially a problem involving the wise use of 14,832,000 acres of land, approximately three-fifths of the total land area of the State, that are not suited for any better purpose than for the growing of timber crops. Eighty-nine percent of this forest area, approximately thirteen and a quarter million acres, is in private ownership, and from these private holdings come more than 98 percent of our current cut of forest products. This large area should be dedicated to the continuous production of forest products in order to supply our present and future wood-using in-

dustries with necessary raw materials, to maintain the pay rolls of our woods and mill workers, to produce taxes, freight and other forms of revenue, to conserve our soil and water resources, to protect our valuable game birds and animals, and to administer to our recreational needs.

I say without qualification that the greatest obstacle to the productive use of forest land in Virginia is uncontrolled fire. Each year we have from 2,500 to 5,000 fires reported. Each year fires burn from a hundred thousand to five hundred thousand acres of timberland, depending upon the severity and character of the fire seasons. As a result there are literally hundreds of thousands of acres of brush or wasteland in Virginia that are in this uneconomic and wholly unsatisfactory condition primarily because of the effects of fire. We have large areas on which the forest type has changed or is changing to less desirable species, and we have the failure of our cut-over lands to reproduce satisfactorily with species of commercial value, because of the effects of fire. In our hardwoods, fire scars and heat killing always begin their destructive work, and each succeeding fire leads directly to a burning down of the trees, or it renders the timber susceptible to windthrow and to insect infestations and to decay from fungus diseases. If you will go on burned areas in Virginia, areas that were burned several years ago, you will find only clumps of sprouts, usually of a poor species, but more fire resistant than species of greater commercial value, and you will find dead, worthless trees, briars and other inferior undergrowth.

I wish to call attention to the fact that the forest industries of Virginia at the present time rank second only to textiles in the number of wage earners employed. For instance, they provided employment during the calendar year 1940 to more than 51,000 wage earners, which was about 24 percent of all persons engaged by all industries in the State during that year. During the same year the forest industries in Virginia paid wages in excess of \$39,000,000, which was about 20 percent of the State's total industrial pay roll for the year. Forest products manufactured or cut, including lumber, pulpwood, poles, piling, ties, and fuel wood, were valued at \$184,000,000. I merely wish to call attention to some of these facts in order that you may more fully appreciate the major contribution that timber resources of Virginia can and will make to the economic life of our State.

It is because of these economic considerations and because fires, more than any other single agency, will keep our forest lands in an unproductive condition, that I respectfully urge you to support Senate bill 45.

I know that there is considerable criticism, much of it without doubt fully justified, of the present practices of overcutting forest lands. But that is entirely another problem, and at any rate we cannot expect farmers and other timberland owners to invest money in good forest management practices unless and until we can give them at least reasonable assurance that their final harvest will be a crop of trees and not a crop of dead stubs or a crop of ashes.

Mr. GILCHRIST. Mr. Chairman, I have a letter from my State forester, and I promised to put his views in the record, and I now ask unanimous consent that this letter be incorporated in the record.

The CHAIRMAN. No objection. It is so ordered.

(The letter referred to is as follows:)

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

DEPARTMENT OF FORESTRY

AMES, IOWA, November 30, 1943.

HON. FRED C. GILCHRIST,
House of Representatives, Washington, D. C.

DEAR MR. GILCHRIST: I appreciate very much your prompt reply to my telegram of yesterday, and also appreciate the opportunity to give you my views in connection with S. 45, which I understand comes up for consideration of the Committee on Agriculture next Friday.

My principal reason in contacting you in regard to S. 45 is because this measure has to do with the amendment of the so-called Clarke-McNary Act, which was put into effect in 1924. In my opinion, the Clarke-McNary law represents one

of the most effective means of cooperating with the various States in conservation work. The measure provides Federal stimulus, which has been very effective in getting needed conservation work initiated. Iowa has been the recipient of benefits, especially under section 4 of this act, which has to do with cooperative reforestation work. This program in Iowa has been under my general direction from the State's standpoint ever since the enactment of the law, more than 20 years ago. It has been a real help in our conservation program.

In studying S. 45, the purpose of this amendment is to provide additional Federal resources for several of the different sections of the original Clarke-McNary Act, especially in forest-fire protective work. Although the original Clarke-McNary Act made a good start in cooperating in the States in forest-fire protection, yet, the job has been only partially handled. I believe we have come to the time now when the National Government should take the lead in demanding as nearly full protection of our forests from fire as possible. Surely the demands for lumber and other timber products in the present war period have impressed the people of the country that our forests are one of the critical resources which we can ill afford to lose through neglect.

Several years ago, at the request of Congress, an investigation was made which recommended that more adequate Federal appropriation would be needed in order to handle our forest-fire problems. The proposal in S. 45 calls for a Federal fund, which, taken along with the appropriations of the various States, would go a long way toward protecting our forest resources from one of our most destructive agencies—fire.

The proposed amendment also makes provision for a study of our tax laws, which subject has a direct bearing on forest conservation through private initiative. This question is of importance and should be handled from a national viewpoint rather than piecemeal by the various States.

It is further suggested that a study of the possibility of insurance against losses of timber through fire damages may contribute in a large way toward a more conservative handling of the country's forest resources.

I believe that if S. 45 is recommended by the Agricultural Committee and passed by Congress that it will be a definite step toward a program providing for a more satisfactory handling of one of the country's most essential resources.

I hope that you may have an opportunity to look into the merits of this measure at the time you meet with the Agricultural Committee to which the bill has been referred for consideration.

Very truly yours,

G. BILL MACDONALD, *State Forester.*

The CHAIRMAN. Now, if there are no further questions we have another forestry bill set for today, H. R. 1456. That is the companion bill to S. 44, which has not yet been acted upon in the Senate.

Mr. WATTS. Mr. Chairman, it would not be possible for Colonel Greeley of the West Coast Lumbermen's Association to discuss this fire bill briefly, would it?

The CHAIRMAN. Well, I think we can have time for him for a few minutes and then he can file a statement.

Mr. WATTS. I am anxious to have you do so because he has come all the way from the coast.

The CHAIRMAN. Well, if he came here from the west coast, of course, we want to hear him.

STATEMENT OF COL. W. B. GREELEY, SECRETARY-MANAGER, WEST COAST LUMBERMEN'S ASSOCIATION

Col. GREELEY. I am W. B. Greeley of Seattle, secretary-manager of the West Coast Lumbermen's Association.

Mr. Chairman, it was my privilege to be associated with the Forest Service when this basic legislation was passed and to work with Congressman Clarke and Senator McNary in the studies and consul-

tations which preceded its drafting. For the last 15 years I have been with the lumber industry in the Pacific Northwest and have had a chance to see the application of this legislation from the other side, from the side of the State and private landowner, and I would like to add to the testimony you have heard.

In Oregon and Washington, at least, and I am sure that this is generally true, such legislation as this does not reduce forest expenditures by the State and private owners. On the other hand, every move in this direction which the Federal Government has made has had the effect of increasing State activity and industrial activity in forestry.

Now in the case of Oregon and Washington, we have State laws that require every forest owner to furnish the basic protection of his property from fire, and the forest owners of those two States who have protection and various forms of fire safety on their land are now expending approximately a million dollars a year for forest protection as against the \$225,000 a year furnished by the Government, and a slightly larger amount appropriated by the two States.

In this increase I do not include the Federal emergency appropriations or the special expenditures for protection which were carried out under the 3-C organization for a good many years, but the net result of this policy by the Federal Government has been to generally increase both State expenditures and private and industrial expenditures for forest-fire fighting, and today in the thirteen-odd-million acres of privately owned forest land in Oregon and Washington there is an average expenditure by the owners of that land of about 7 cents per acre for forest protection.

It comes out of the pockets of the industry, and we realize in that region that forest protection is absolutely the starting point of any kind of forestry. Our coniferous forests are subject to a terrible fire hazard every year, and without completely organized forest protection no form of reforestation would be possible.

The association that I am serving today is working very actively to increase the forestry movement on the part of the private owner. We have launched a movement that we call the west coast tree farms, which is an area whose owner has permanently set it up for growing timber. We have today about 25 of these tree farms with a total in excess of 2,000,000 acres, and the purpose of it is to advise the owners of these tree farms what is necessary to make them successful.

Our first point is all-out protection from forest fires and the standard of good protection, for a tree farm has doubled the present protection that the average land on those two States now receives.

We started out with the proposition that to be a successful tree farmer in our Pacific Northwest you have to be prepared to spend about 15 cents per acre every year for protection, so that the trend in our region generally is steadily to increase the intensity and the expenditure for protection by both State and private forest interests, and this activity for forest service which has now been in effect for some 20 years has been of tremendous value in carrying on that movement in the States and among the private industries of those two States. It is not only a matter of the appropriations, but the practical cooperation and consultation and advice and help in mutually

developing the know-how of forestation, but also one of tremendous interest and tremendous practical value.

I feel this is one of the most constructive things in regard to the Federal Government that it has ever undertaken in practical conservation, and we rely on the estimates of the Forest Service for the new requirements and increase in the authorization, and we feel that the money will be well spent in order to make the job complete and effective, and from the standpoint of our industry in the Pacific Northwest, I can assure you that the private expenditures will go right on increasing with this further help and cooperation from the Federal Government.

Now, gentlemen, we have recently made a study of our whole situation in Oregon and in Washington. We have summarized it in this little report, and I would like to give you a copy of it.

The CHAIRMAN. We would like to have it.

Colonel GREELEY. I have enough copies available for all of you gentlemen [handing to members present].

Mr. PHILLIPS. May I ask a question, Mr. Chairman?

The CHAIRMAN. Yes.

Colonel GREELEY. May I just add: This is an attempt to State in cold facts what has actually taken place in the last 10 years in the Douglas fir region of Oregon and Washington, and it shows considerable progress. It is still very incomplete but we are moving in the right direction, but general protection from forest fires is absolutely the foundation of that whole thing and unless we can continue to increase and expand the intensity of protection from forest fires, all this would not be possible.

Mr. PHILLIPS. Mr. Chairman, Mr. Gilchrist raised the question that I thought should have had some more comment in the record at that point, and Mr. Zimmerman touched upon an allied subject. There are companies and people who will strip the timber and not replace it. They are timber vandals, but also I would like to ask this gentleman if he can: Is taxation still entering into the problem of cutting the timber and the problem of replacing the timber, because there are certain counties or areas in the part of the world from which he and I both come—the west coast—in which taxes have been levied, during the depression especially, and it may be difficult for a timber company or individual to preserve the timber standing on the land because it may impose a penalty upon him and, in some instances, work against the planting.

Now, my impression is that that should become a subject of study, and by cooperation with California much of the difficulty can be corrected.

Colonel GREELEY. There has been a substantial correction, sir. It is still a very perplexing problem as to how to change the tax base of our merchantable timber from the ad valorem basis to a yield basis or a harvest basis.

In Oregon and Washington we have been successful in bringing about that change. In the case of the regrowing of forests, that is; in both of those States the owner who is engaged in timber recropping may register his land with the State tax authorities and thereafter pay a very low annual ad valorem tax. Whenever his timber is cut, however, he is obligated to pay a yield tax at the rate of 12½ percent on

the value of the timber at the time of cutting and that has been of great advantage in encouraging the bringing about of the practices which we are working for. In fact, that would not have been possible without that law.

Now, we haven't been able to make much headway in changing over the tax of merchantable timber to a harvesting basis because of the tremendous difficulty involved in county revenue, but we have made that definite change in respect to our new forest, as we find it essential to a timber-growing program in our country.

Mr. ZIMMERMAN. I happened to be out in the States this summer and I was amazed around some sections of Washington to see how they had stripped that country of every tree.

Colonel GREELEY. There has been a great deal of that done.

Mr. ZIMMERMAN. We traveled 40 miles before we saw one of their native trees, so completely had they been denuded. Now, do you have any regulation as to the marketing of timber or are you doing anything about it, or just slaughter the whole thing, or do you continue to do it just like one of these pictures indicate?

Colonel GREELEY. Yes, sir.

Mr. ZIMMERMAN. Just a complete denuding of the land of every tree, big and little. Do you still do that?

Colonel GREELEY. There is still too much of that going on but the trend is against it. In the State of Oregon the legislature passed 3 years ago a regulatory measure for the prevention of destructive forest practices. That measure requires that certain minimum conditions in the practice of reseedling when the land is cut be carried on. The law has now had 3 years of life and it has had a very efficient administration by the State Department of Forestry and that period when that type of denudation could take place has now passed. It is passing in the State of Oregon under the control of the State law. It is passing in Washington because of the active program of the industry itself and there we hope to get a State law comparable to that which we now have in Oregon, but do not fail to realize, sir, that a great deal of that denudation that anyone can see who travels the Pacific Northwest is simply the result of forest fires.

I know of a great many tracts where repeated fires have completely denuded the land, but there has been destructive logging by the lumber companies.

The CHAIRMAN. Let me say, under our present Federal laws we have orderly marking of trees in the national forests.

Any further questions?

Mr. PHILLIPS. Let me ask you this: This is an extremely interesting book and it shows that over one-third of the fires in that area are incendiary fires, does it not?

Colonel GREELEY. Yes.

Mr. PHILLIPS. It seems a high percentage.

The CHAIRMAN. I would like to ask Mr. Watts to furnish for the record the contributions made by the respective States and also in another column, the contributions made by the Federal Government to those States. I would like to have it by States if possible.

Mr. WATTS. I have it.

The CHAIRMAN. Without objection, that statement will be included in the record at this point.

(The statement referred to is as follows:)

State allotments for forest fire cooperation under section 2 of the Clarke-McNary law

State	Fiscal year 1943— State and private ex- penditures	Fiscal year 1944—Fed- eral allotments	
		Matched	Un- matched ¹
Alabama	\$176,105	\$117,834	\$53,735
Arkansas	173,178	107,812	24,131
California	2,065,412	682,948	51,738
Colorado	52,266	15,787	
Connecticut	55,916	24,965	15,000
Delaware	5,529	3,000	4,500
Florida	275,663	179,790	128,801
Georgia	124,113	107,495	54,945
Idaho (north)	157,046	66,010	29,700
Idaho (south)	33,288	16,571	7,700
Illinois	14,355	6,960	7,500
Indiana	34,197	12,950	9,735
Kentucky	21,140	² 29,200	23,150
Louisiana	193,959	107,486	12,195
Maine	88,056	70,826	21,918
Maryland	248,100	21,606	125,200
Massachusetts	143,682	50,985	22,057
Michigan	557,541	221,440	20,000
Minnesota	275,213	137,373	24,232
Mississippi	115,004	78,663	41,710
Missouri	44,483	26,955	21,205
Montana	111,371	43,975	12,000
Nevada	6,125	3,414	
New Hampshire	70,829	24,517	13,200
New Jersey	167,483	53,223	40,000
New Mexico	11,400	5,339	
New York	219,856	98,979	17,000
North Carolina	167,111	95,577	87,355
Ohio	28,616	13,648	15,000
Oklahoma	29,319	28,451	
Oregon	795,381	316,878	386,000
Pennsylvania	313,528	69,646	10,000
Rhode Island	62,837	7,357	5,000
South Carolina	190,655	104,457	82,269
South Dakota	10,615	1,857	
Tennessee	72,119	57,038	43,965
Texas	96,190	69,864	44,665
Utah	18,220	7,766	1,000
Vermont	40,461	19,525	10,000
Virginia	164,605	51,101	161,260
Washington	1,169,227	414,754	337,750
West Virginia	208,930	52,910	15,000
Wisconsin	315,255	145,186	23,000
Hawaii	3,303	1,117	
Total allotment to States			2,003,616
Contingent and reserve for spring season		10,000	202,634
Administration and inspection		171,235	93,750
Taxation and insurance studies		45,000	
Grand total	9,127,782	4,000,000	2,300,000

¹ The appropriation act for 1944 authorized the expenditure of "not to exceed \$2,300,000"—for fire protection—"on critical areas of national importance without requiring an equal expenditure by the State and private owners."

² Qualifies through Budget, State having shown availability of State and private money in amount at least equal to Federal allotments.

The CHAIRMAN. Now, we have Mr. Ovid Butler, executive secretary of the American Forestry Association.

**STATEMENT OF OVID BUTLER, EXECUTIVE SECRETARY OF THE
AMERICAN FORESTRY ASSOCIATION, WASHINGTON, D. C.**

Mr. BUTLER. Mr. Chairman, and gentlemen, I represent the American Forestry Association. Our organization is an association of civilian people of the United States. It is made up of anyone who is interested in promoting conservation and the better management of our forests. It includes groups that are interested from an industrial standpoint, wildlife, soil conservation, water protection, and so forth.

My remarks are going to be very brief. There is one point, however, that I would like to elaborate on for just a moment.

The Clarke-McNary bill, which this bill amends, has been mentioned a good many times. I would like to point out that that bill passed in 1924 was a ticket or principle written by Congress itself which followed an intensive study of forest conditions during 1922 and 1923 by a special committee of the Senate headed by Senator McNary.

It went all over the country into the principal forest regions and studied the whole question of forest management, and I would like to read just about 10 lines from a statement that Senator McNary wrote a few years ago in which he was discussing this whole question of forest-fire protection.

Being chairman of the bill and chairman of the committee which sponsored the bill, it is a very clear statement of what the committee had in mind and how it viewed the forest situation at that time.

It says:

The Clarke-McNary Act is based upon two fundamental things as found by the committee:

The first was the clear necessity of preventing forest fires on State and private lands in order to safeguard resources, principally to justify public and private agencies in investing time and money in conservation work.

Second, was the need of expanding public forests to embrace those lands of watershed value which private endeavor could not be expected to manage on a permanent timber-growing basis.

Further on he said:

If conservation is to become part of the everyday lives of our people, the Government's attitude must be one of cooperation in solving the problem that today surrounds every nonpublic conservation undertaking, but whether the undertaking be private or public this cooperation has its point of beginning in the control of forest fires.

That, gentlemen, is a principle that my organization has stood for for more than 50 years, a principle that we have promoted and endeavored to implant in the people of the United States.

I think it is generally recognized that unless all forest lands can be assured of reasonable protection from fire, we cannot hope that private endeavor will risk funds in long-time growing of timber.

Now, a further point is that unless our public forests have reasonable fire protection the money that the Congress and the States are investing in forest services and forest work will not adequately be protected. Therefore, we offer this bill which is merely an amendment of it basically and accomplishes one purpose and one purpose only, and that is to free the Congress of the authorization restriction

which the Clarke-McNary Act imposed upon it, namely: The appropriation of \$2,500,000.

Now, I might say that when that figure was set up back in 1924 as the limit of the amount that Congress could appropriate from year to year, conservation agencies did not have as good an appraisal of the size of the fire problem that it has today. That undoubtedly and unquestionably no one could foresee the great increase in tourist travel in various areas and the increase in the number of fires started by the public on both private and public lands.

Therefore, this amendment merely places in the hands of Congress the freedom to say, from year to year, whether it will appropriate more than \$2,500,000 under this act.

The CHAIRMAN. Thank you.

Mr. BUTLER. Thank you.

The CHAIRMAN. Now, it looks as though we will have to adjourn until Tuesday, but we have here this morning some people who would like to testify about H. R. 1456 and S. 44. Mr. Adams has made a trip from New England, and I think we should let him make a brief statement and give him permission to file a written statement if he so desires.

Mr. Adams, we would like to hear from you.

STATEMENT OF SHERMAN ADAMS, LUMBERMAN, LINCOLN, N. H.

Mr. ADAMS. Mr. Chairman, I have no wish to detain the committee and I will confine myself to 10 minutes.

I have come down here from New England and I am not able to appear before your committee on next Tuesday, and I would appreciate an opportunity to say a few words on the measure S. 44 and H. R. 1456. I will not go into the details of the measure but those will be presented, as I understand it, before your committee next week.

I am and have been connected for some 23 years in various industries in the New England area.

We have not made a survey for the continuation of that which this bill is providing for and such a survey has not been initiated in the Northeast, and from where I come, but I feel that this is a very important measure and I will try to show the committee that, by virtue of an inventory which has been initiated, these various services should be completed.

Mr. Chairman. I would like to say that I think the manner and the extent that we use our land and the usage and care with which we take advantage of our resources is one of the most important things, and we ought to do that if for no other reason than that the forest land in the northeast area amounts to three-fifths of the land area, in New England to two-thirds of the land area, and in New Hampshire I believe it comes somewhere to about four-fifths of the land area, and I think there are reasons, Mr. Chairman, why the forest survey that has been initiated is as important to the northeast region as it is to any other region.

I would like to say briefly that there are some fifty-seven million acres of forest land in the northeastern area of the six-hundred-and-thirty-odd-million acres in this country. We have operations up there

that produce 6 percent of the lumber, something like 15 percent of the pulpwood, and in spite of the fact that we produce our proportionate share of forest products that are produced by the forests of this country, our production is characterized by a substantial depletion in our sawmill reserves.

I believe, Mr. Chairman, that there are certain inherent responsibilities in the people owning land, and in the last analysis, I believe that the Federal Government should see to it that there is some reasonable security to be expected from the forest products of those lands. What those responsibilities are, cannot be determined in my opinion unless we know what is occurring on the land.

Measures to insure the continued consistent production of forest products from those lands cannot be known unless we know what is on the land, what our rate of growth is, what our rate of depletion is, and so forth, and that is the fundamental thing that is to be determined.

Mr. Chairman, in 1942, in the Northeast we consumed 4,000,000,000 feet. That is, 4,000,000,000 board feet of lumber in the northeastern region. A board foot is a piece of lumber 1 foot long, 1 foot wide and 1 inch thick. We marketed our own production amounting to about a billion and three-quarters board feet but we used of that in our region, about a billion and a half board feet and we were able to provide what was required in our own bailiwick about 37½ percent; the rest we imported. I think, Mr. Chairman, that our situation in our own State of New Hampshire is typical of the forest situation in the northeast region and I want to take 2 or 3 minutes to give you a picture of our situation in the State of New Hampshire as indicative of the situation in the entire northeastern region.

We have about 6,000,000 acres in the entire State. At the time of the Proprietors' Grant originally set up it was something like 5,775,000 acres in timberland.

Along about 1830 or 1850 the forest acreage was reduced to something like 2,750,000 acres due to the fact that the primary use of that land in New Hampshire was for agriculture. Since that time forest acreage has increased to 4,445,000 acres.

In 1938, the Forest Service made a spot check of our forest resources in our State. They figured that at that time we had something like six-billion-one-hundred million-odd of board feet. That was an opinion on their part. There was and there has been no forest inventory that has ever been taken of New Hampshire, no systematic forest inventory, nor has there been any forest inventory of the northeastern region.

In 1938, we had a very serious windstorm in New Hampshire, hurricane that destroyed a very substantial portion of the mature growth, not only in New Hampshire, but in the northeastern region and it was my opinion that up to 1941 our forest reserve in New Hampshire was depleted, including the cutting, something like 5,000,000 board feet. That is my personal opinion from my personal observation.

We consumed in 1941—the year previous—about a half million cords of pulpwood in New Hampshire. That is roughly 250,000,000 board feet, and we consumed in lumber about 255,000,000 board feet, and altogether there was a total production of about 525,000,000 board feet, but of the four-million-odd acres of forest land which we have today,

there is only about half of that or something like two million and a quarter acres in New Hampshire that is in productive condition.

In other words, there is about half of it that is producing something that is going to be of value to the people; which means that the rest of it will have to be rehabilitated and regenerated.

We have been considering for some time what the forest policy of our State ought to be, considering these various factors. We have not only considered it, but other States as well are considering it. We don't have the information at the present time to know what our forest policy ought to be and how to proceed to overcome the depleted situation of our State and the other States in the Northeast. We are, however, actively considering this thing, whether or not we should raise \$30,000 for getting precisely this information but we have neither the personnel nor the facilities available to the Forest Service in getting this information.

Now, we see, Mr. Chairman, in the horizon, some very definite indications in regard to the public interests as it affects public lands, and many of us are concerned with the problem. We think we are going to be able to handle it in large measure ourselves, but we do believe that this thing is essential, and we think we ought to have the forest survey that has been initiated in our northeastern territory and particularly in our State, so we can proceed with a reasonable degree of intelligence in trying to solve our problem.

We hope that you will help us.

The CHAIRMAN. We thank you. If you desire, you have permission to extend your remarks by filing a statement.

Mr. PACE. Just one question.

Mr. ADAMS. Yes.

Mr. PACE. You are directing your remarks to section 9 of the McNary Act?

Mr. ADAMS. I believe so.

Mr. PACE. Has the total of \$3,000,000 been expended?

Mr. ADAMS. As I say, I am not here to testify about the act itself and about the history of the act. That testimony, I assume, will be adduced next Tuesday by men who are more familiar with it than I.

Mr. PACE. You are just showing the needs of it?

Mr. ADAMS. Yes.

The CHAIRMAN. The committee is adjourned until next Tuesday.

(Whereupon, the committee took an adjournment at 12:15 p. m. until Tuesday, December 7, 1943.)

FORESTRY

TUESDAY, DECEMBER 7, 1943

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D. C.

The committee met at 10 a. m., the Honorable John W. Flannagan (acting chairman) presiding.

The CHAIRMAN. The committee will come to order.

We have up for consideration this morning S. 44, introduced by Senator McNary, and H. R. 1456, introduced by Congressman Randolph. Congressman Randolph is present this morning and desires to make a short statement.

We will hear from Dr. Watts.

(The bill under discussion is as follows:)

[H. R. 1456, 78th Cong., 1st sess.]

A BILL To amend section 9 of the Act of May 22, 1928, authorizing and directing a national survey of forest resources

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the Secretary of Agriculture to complete and keep current for the United States the forest survey authorized and directed by section 9 of the Act of May 22, 1928 (45 Stat. 699, 702; 16 U. S. C. 58), said section is hereby amended to provide that the annual authorized appropriations therefor shall be on the same basis as are appropriation authorizations for carrying out the purpose of other sections of said Act as provided in section 1 thereof and by removing the limitation on the total Federal appropriation.

STATEMENT OF LYLE F. WATTS, CHIEF OF THE UNITED STATES FOREST SERVICE

Mr. WATTS. Mr. Chairman and members of the committee, I think perhaps I had first better clear up just what the legislation is under discussion.

The CHAIRMAN. In doing that, I think you should tell the committee just what can be done under the present legislation, what changes you desire, and why you need those changes.

Mr. WATTS. The McSweeney-McNary Act was passed on May 22, 1928, and is known as the charter for Federal research in this country. The act was made up of 10 sections: The first section stated the general purpose of the act as set forth more specifically in the following sections:

Section 2 of the bill provided for research in forest management, with an authorization of \$1,000,000 a year.

Section 3, investigations of forest-tree diseases, with an authorization of \$250,000 a year.

Section 4 investigations of forest insects, with an authorization of \$350,000 a year.

Section 5 investigations of forest wildlife, with an authorization of \$150,000 a year.

Section 6, investigations of forest fire weather, with an authorization of \$50,000 a year.

Section 7, investigations of forest range resources, with an authorization of \$275,000 a year.

Section 8, forest products investigations, with an authorization of \$1,050,000 a year.

Section 9 carried an authorization for a Nation-wide survey of the forest resources of this country. It differed from the balance of the bill in that it not only limited the annual authorization to \$250,000 a year, but it also placed a limit of \$3,000,000 on the total appropriation for the project.

Section 10, forest economics investigations, with an authorization of \$250,000 a year.

The act provides for the removal of the annual limitations in 1938 and for the appropriation of such annual amounts as may thereafter be necessary for these sections.

Now, the purposes of this project are four: First, an inventory of the area, location, and condition of forest lands, and of the quality, kind, and quantity of the timber on the land; second, a determination of the rate of growth of our forests, by types, regions, and species; third, a determination of the rate at which our timber is being depleted by cutting and by fire, by insects, diseases, and so on; fourth, a determination of the current and probable future requirements for forest products for all purposes and uses.

As has been stated, the forest survey started in 1930, 2 years after the McSweeney-McNary bill passed. It has been carried on annually since that time, and some 300,000,000 acres of the 630,000,000 acres have been covered by the survey at a cost of approximately 1.6 cents per acre. That is less than the cost of a 2-cent stamp per acre.

The CHAIRMAN. Of the \$3,000,000 authorized, how much has been spent?

Mr. WATTS. Of the \$3,000,000 authorized, at the end of this year \$2,707,313 will have been used, leaving less than \$300,000 for future appropriation.

The CHAIRMAN. How long do you think it will take to make the survey?

Mr. WATTS. Mr. Chairman, perhaps I can answer that best in this way: We think the cost to complete the first survey, the additional cost will be about $3\frac{1}{2}$ million dollars. The length of time it will take will depend upon the amount of the appropriation. It can be done in an orderly way in 6 to 8 years, or, if the appropriations are small, it would have to be spread over many years. The total cost to complete the job will be about $3\frac{1}{2}$ million dollars, or approximately 1 cent per acre.

The CHAIRMAN. That would be in addition to the \$3,000,000 already authorized?

Mr. WATTS. That is right.

The CHAIRMAN. So that the total cost would be in the neighborhood of \$6,000,000, plus.

Mr. WATTS. That is right.

The CHAIRMAN. That is correct?

Mr. WATTS. Yes, sir; and the total for the whole survey would be about a cent an acre.

The CHAIRMAN. How much will it require to continue the work from year to year? There is a limitation of \$250,000. Is that limitation unreasonable?

Mr. WATTS. The limitation of \$250,000, in my judgment, will continue the work for entirely too long a period. We, as a matter of fact, after having completed the original survey, to get the real benefits from it, would have to keep it current. We don't want to make the original survey, and then when it is completed, just forget about it. We have to make the original survey, and my judgment is that the cost of keeping it current in the most usable shape for the public and industry generally will be about \$250,000 a year.

The CHAIRMAN. You mean to keep it current?

Mr. WATTS. After it is completed.

The CHAIRMAN. You mean after the survey is made you will need around \$250,000 a year to keep the surveys completed?

Mr. WATTS. That is right, because we have to continually resurvey areas that have been cut over, analyze all records on growth, production, losses, requirements, and so forth, and make those analyses so that we can keep a current and reliable record of the condition, ownership, and volumes of timber permanently.

The CHAIRMAN. This amendment as drawn is more or less without a limitation, is it not?

Mr. WATTS. Yes. That to me is a desirable way to draw legislation. So far as we are concerned possibly there should be an annual limitation, but it ought in my judgment be much higher than \$250,000.

The CHAIRMAN. What do you think about having an over-all limitation?

Mr. WATTS. I would rather not have it. As stated, we think we can finish the job for three and a half million additional. If we had to have an over-all limitation for this phase of the work, that figure would be as good as any. I would rather not have it. If you wanted to say that the survey should be finished in around 6 to 8 years, and recognizing the need for keeping the information current, I would say that an annual authorization of somewhere in the neighborhood of \$750,000 a year would be necessary to accomplish that result.

The CHAIRMAN. Don't you think there should be some over-all limitation?

Mr. WATTS. Not so far as the maintenance, and the job of keeping that information usable over the years, because that will run on as a permanent thing, just as in Agriculture we all of the time collect records as to crop production and as to the need for various commodities, and so on.

The CHAIRMAN. As I understand this resolution, you are asking us to, more or less, give you a blanket authorization, and then you would have to go, of course, before the Appropriation Committee, here and in the Senate, each year, and thresh out just what amount you could get from those committees. I doubt the wisdom of legislating in that manner. When it comes to authorizations I think the Congress ought to know more or less what it is doing.

Mr. WATTS. Yes.

The CHAIRMAN. I don't believe we can get the bill through the House with just a blanket authorization.

Mr. WATTS. If we were to put a limitation——

The CHAIRMAN. For that reason I believe you ought to furnish the committee some figures as to what the over-all cost is going to be and what part of that amount can be economically used from year to year.

Mr. WATTS. We will be very glad to do that. It will be in line with the figures I have given you this morning.

The CHAIRMAN. Are you prepared to furnish those figures now?

Mr. WATTS. The figures that I have used are that the total cost for the initial job will be an additional $3\frac{1}{2}$ million dollars.

The CHAIRMAN. Three and a half million. You would then want authorized an additional $3\frac{1}{2}$ million dollars, and if we were to put a limitation on the use of that fund from year to year, what would you say the limitation should be?

Mr. WATTS. My suggestion would be that the limitation should be \$750,000 a year, so that the job could be completed in about 6 years. And in that, recognition would be given to the need of keeping the survey current—the resurvey work that will be carried on indefinitely.

The CHAIRMAN. You would have to draft the amendment in such a way that you would have some current funds annually until the general survey has been made.

Mr. WATTS. That is right.

The CHAIRMAN. It looks to me as if this would have to be redrafted.

Mr. WATTS. That, I think, would best be left as is the rest of the bill. For the other eight items the bill reads that the amounts specified in sections 2, 3, 4, 5, 6, 7, 8, and 10 of this act are authorized to be appropriated up to and including the fiscal year 1938, and such annual appropriations as may thereafter be necessary to carry out the provisions of said sections are hereby authorized. The maintenance part of it I think might well be handled in the same way. It would be up to Congress as to what they appropriate.

Mr. PACE. Dr. Watts, don't you think that really the survey you have made up to now is going to be absolutely worthless the day peace comes?

Mr. WATTS. No; not by any means. One of the other speakers this morning I am sure will discuss that. There [indicating] for example, is a map of western Washington. We are keeping that current. It shows the forest situation in western Washington in a very, very excellent way.

Mr. PACE. I mean this, Dr. Watts; the great problem today is getting enough timber to carry on this war.

Mr. WATTS. That is correct.

Mr. PACE. And they are getting it in every State in this Union, and certainly, if you have a sufficient force to keep up with the cutting, why do you need any more survey?

Mr. WATTS. As a matter of fact, at the present time, and for the past 3 years, we have been doing very little on that phase of the forest survey. The bulk of our money for the past 3 years has been going into a determination of the requirements for forest products, and so forth, and that has been for the benefit of the war agencies. I mean, that seems to be our main job now.

Mr. PACE. And the War Department has given you several millions to do that.

Mr. WATTS. Well, no. We are putting in the Forest Survey money and the War Production Board is putting in about \$280,000 for that specific job.

Mr. PACE. I know, Mr. Watts, but we have a Budget letter, dated March 22, which states—this is from the acting director—

It is the feeling of this office that the War and Navy appropriation, rather than that of Agriculture should bear such expense, and the War Department has agreed to provide approximately \$2,750,000 or such other amount as may be necessary.

Now, you are not asserting that you are not getting \$300,000 from the Army and Navy Departments, to advise the airplane concerns and all the other users of lumber where to get their lumber?

Mr. WATTS. No; the bulk of that money you are speaking of there, Congressman Pace, may be that appropriated for the very scientific research at the Madison laboratory.

Mr. PACE. The point I am making is this—and I believe I am right on it, unless you can change my mind. Give me a minute on it, will you? The survey you have made and the survey you wish to make this year would be absolutely worthless the day this war is over, on account of such an enormous cutting of timber, that you are getting the money you need for your present requirements through the different war agencies, and it seems to me the things you wish to do, and what this committee should do, is to suspend this survey until the war is over and then make an up-to-date survey of what timber resources are left after the war. In that connection your department has a total of about \$50,000,000, has it not?

Mr. WATTS. Well, I am not sure as to the amount. I can get the figures on that.

Mr. PACE. You have got what looks to me like a lot of duplication: Private forests and cooperation gets \$114,000; forest management, \$556,000; range investigation, \$256,000; forest products, \$1,000,000—\$1,000,000, and you said the thing you are doing mainly apply to products for war manufacture; forest surveys, \$140,000—you asked for \$250,000; forest economics, \$192,000; forest influences, \$133,000.

That is all beside the \$4,000,000 that they give you to fight fires; that is beside the \$4,000,000 additional emergency appropriation they gave you to fight fires. Whatever is necessary to preserve the forests of this Nation I am for, but it seems to me if we authorize you next year to spend money for the Forest Survey we are absolutely throwing money away, since you are receiving from the war agencies millions of dollars to give them the information they need about where they can find spruce, where they can find this and where they can find that. Certainly you have several millions of dollars to do that.

Mr. WATTS. Well, actually, Mr. Pace, the War Department and the Navy Department and the other agencies are furnishing us money for certain very specific things. For this particular item as to the requirements, production problems, and supplies of forest products, the appropriation or the allocation that they are getting is \$280,000, that comes from the War Production Board—\$280,000, plus the \$140,000 which the Congress appropriated for the forest survey is going into this project of furnishing war agencies with the information as

to the requirements and production of timber, by species and so on.

Mr. PACE. What is this one million for forest products?

Mr. WATTS. That is for research in new uses of wood at the Madison laboratory, almost all of it. It hasn't anything to do with this, which is something else. That is for the financing of the Madison laboratory.

Mr. PACE. I have before me here the hearings before the Appropriations Committee, which I have read with very deep interest. It appears that you have about \$52,000,000 to administer in dealing with forests.

Mr. WATTS. That is right.

Mr. PACE. It does seem to me, although I may be entirely wrong, that during this war, if you are administering \$52,000,000, you necessarily have several thousand employees. You have men out in the woods watching for fires. Why they can't make a survey while they are walking around the woods, I can't understand.

Mr. WATTS. Well, I do.

Mr. PACE. Well, maybe so. I hope you can convince me. You have thousands of employees all over this Nation, and you are spending \$52,000,000. I still insist any survey you make today is going to be absolutely worthless when this war is over. It is not going to be up to date on whatever you have done in my State, and you will have to go back and make a resurvey of the whole thing. The only point I am asking about now is, and I think I am reflecting the views of the people to whom you are going to have to go to get the money, because they tell me very definitely they are not going to regard this survey as a war measure—and I can tell you I think very definitely this is an activity that can be suspended until the war is over, and then, so far as I am concerned, I would give you a million dollars a year until you finish the job. I think you would be throwing the money away now.

Mr. WATTS. Actually we will not be doing much work on that phase of the forest survey during the war. Whatever money we get during the war, through appropriations, it is our expectation that that money will very largely go to provide information that our war agencies need as to the production and requirements of the times.

Mr. VOORHIS. How much has the War Production Board furnished you for that work?

Mr. WATTS. May I ask Mr. Forsling to answer that? He has had that in charge.

Mr. FORSLING. The War Production Board has allocated \$280,000 a year. We are spending approximately an equal amount, \$140,000 of which, this year, comes out of the item "Forest survey," which relates to this bill which is under consideration here today.

The CHAIRMAN. Let me get this in the record. As I understand it, the funds furnished by the War Department are not being used to make this survey contemplated by section 9 of the McNary bill.

Mr. WATTS. That is right.

The CHAIRMAN. It is an entirely different appropriation. Now, Mr. Pace asked why these forest wardens could not be making this survey, and this, that, and the other. Those people are not competent to make a forest survey; is that right?

Mr. WATTS. That is correct.

The CHAIRMAN. It takes a technical man to make a forest survey?

Mr. WATTS. That is correct, and they are busy, anyway, with their own job of protecting the forests.

Mr. PACE. To get the record straight, Mr. Chairman, the gentleman just stated that even the \$140,000 they got this year for the survey is not being used for the survey.

Mr. WATTS. It is being used for one phase of this project.

Mr. FORSLING. May I explain that? We used to cover new territory each year. The last State covered was the State of Virginia. But when the war came on and there grew up this need for the location of various species of timber for various purposes, such as aircraft and ship timbers, and so on, we were requested to assist as a regular part of our work on the survey—and the organization is well qualified both to supply this information and to assist the War Production Board in other ways in securing information on the rate of production and factors affecting production, why production was falling off, or was not increasing in places where it was needed—so the natural thing to do was to use these men that were engaged on the forest survey, supplemented with funds from the War Production Board to supply this specific information that the War Production Board needed in planning its production program. Now, as one part of our wartime job, we are endeavoring to keep current the information for the area already surveyed, so we will not get too far behind on our records, and we are keeping them as near current as possible.

The CHAIRMAN. And if you keep the survey current, none of this work will be lost?

Mr. WATTS. That is correct.

Mr. FORSLING. If we don't keep it current, our survey will all be lost.

The CHAIRMAN. Any further questions?

Mr. HOPE. I think possibly the question I intended to ask has been covered. I just want to get this clear in the record. What Mr. Pace said awhile ago seems to me to be true, so far as the value of your service is concerned, if you are not keeping it current. If you are keeping it current, there doesn't seem to me to be very much merit to his contention that it will be useless after the war.

Mr. WATTS. That is what we are trying to do.

Mr. HOPE. You are keeping it current—

Mr. WATTS. Yes, sir.

Mr. ANDRESEN. You get frequent reports, do you not, as to the cutting of lumber in the national forests and other areas throughout the United States?

Mr. WATTS. We do.

Mr. ANDRESEN. And you can therefore be in a position at any time to make an estimate as to the amount of timber available of the different kinds?

Mr. WATTS. So far as we have an overall estimate. Only half the forests, as I have said, have been covered by the basic survey.

Mr. ANDRESEN. In privately owned areas do they make reports to you of the cuttings that are taking place?

Mr. WATTS. Yes; both by way of surveys and maps.

Mr. VOORHIS. I am not familiar with the act you are operating under now. I notice this bill, H. R. 1456, authorizes "to complete and keep

current." Does the present legislation authorize you to keep it current?

Mr. WATTS. Yes.

Mr. VOORHIS. There is no change so far as that is concerned?

Mr. WATTS. That is right.

Mr. HOPE. That is correct?

Mr. WATTS. Yes; I think it is, but I would like to check the exact wording.

Mr. FORSLING. It doesn't specify in so many words. To quote from the act the last sentence—

* * * including a determination of the present and potential productivity of forest lands therein and all such other factors as may be necessary in determination of ways and means to balance the timber budget of the United States.

Mr. HOPE. You have interpreted that to mean, I assume, because you have been keeping it current, that that meant when you finished your survey it should be a complete survey, brought up to date, as of the date you completed it?

Mr. WATTS. That is right.

Mr. HOPE. And on that theory you have been keeping it current as you go along?

Mr. FORSLING. That is right, sir.

Mr. WATTS. That is right.

Mr. HOPE. You have this additional language in the proposed legislation for the purpose of authorizing you to keep it current after you complete the survey, is that correct?

Mr. FORSLING. That is correct.

Mr. PACE. Does the gentleman think it is absolutely necessary to add that language to keep it current? Because it is very apparent in section 9, where it fixes an absolute stop on the expenditure of money, when you have expended \$3,000,000 there certainly would be nothing with which to keep it current.

Mr. HOPE. I think that is correct. The point I was interested in was to know whether they construed the present language as authorizing them to keep it current as they go along. Otherwise it would seem to me they need additional language.

Mr. POAGE. This bill is very peculiar in the way of phrasing. It doesn't say what the law is going to be when you get through here, except it says we are going to amend the existing law by making certain provisions like other provisions, and by removing the limitation on Federal appropriations. When you do that, how is it going to read?

Mr. HOPE. I am inclined to agree with the gentleman. I think this will have to be rewritten so that we will know what is going to be done.

Mr. WATTS. We can furnish you language which will place a limit on the authorization under this section, if that is your desire. We can do that.

Mr. HOPE. I think what we should do—I don't know whether the limitation should be there or not—but I think we should draft it along the same line as S. 45, and restate it with the changes in that you want to include.

Mr. POAGE. It is where there are any number of changes, and where there is a change in the amount.

Mr. HOPE. Don't you think, generally speaking, that would be preferable?

Mr. VOORHIS. I just wanted to ask—Mr. Pace mentioned the fact that the Forest Service is spending \$52,000,000 a year. What does that have to do with this survey proposition? How much of that are you spending on the survey, and how much on other things?

Mr. WATTS. All we are spending out of our forest-survey allotment under this heading is the \$140,000 that was appropriated for this project. The \$50,000,000 includes cooperation in the protection of private land, cooperation in production of nursery stock for use on farms, and all the costs of administration of timber sales on national forests and a great list of duties which the Forest Service is responsible for, and for this particular item, all that we spent on that is \$140,000, and that very largely for those features which at the present time are so badly and urgently needed for the carrying on of the war. Incidentally, included in the \$52,000,000 is about \$13,000,000 for the guayule rubber project, in the production of rubber, which is quite apart from the work we are doing in the protecting, developing, and growing of forests in the United States.

Mr. VOORHIS. You are using, however, about \$140,000 on this basic forest survey; is that right?

Mr. WATTS. Yes, sir.

Mr. VOORHIS. How much did you spend before the war?

Mr. WATTS. Never more than \$250,000.

Mr. VOORHIS. And now you are spending somewhat less than that. But you are actually spending more because the War Production Board has given you some money; is that correct?

Mr. WATTS. That is right; and it is largely for these requirements of production.

Mr. VOORHIS. As I understand it, your own money is being used together with that money, and all your survey work is being done with the view of giving the specific and immediately needed information, rather than from the standpoint of a long-range survey.

Mr. WATTS. Excepting that the information we are acquiring on timber production and on timber requirements for the War Production Board is being used by the Forest Service for keeping the work already done reasonably current.

Mr. VOORHIS. How much does that take?

Mr. FORSLING. It amounts to the equivalent of practically all the \$140,000.

Mr. VOORHIS. Then, in other words, you are spending all your own money to keep your survey current, you are spending the War Production Board's money getting the information needed for the war; is that right?

Mr. WATTS. Yes. It amounts substantially to that although the two jobs are all tied in together.

Mr. VOORHIS. If this bill were not passed, suppose we did not pass H. R. 1456, what kind of shape would you be in then?

Mr. WATTS. Congress might appropriate for the next fiscal year about \$293,000, if they wanted to. I mean that would be the limit, and when that limit is reached, the entire forest-survey project would have to be closed out. I mean, we would just have to liquidate it, and that would be most unfortunate.

Mr. VOORHIS. Just a minute. Do you mean to say that \$293,000 would use up the entire authorization for all time?

Mr. WATTS. For all time.

Mr. VOORHIS. Not just for the next year?

Mr. WATTS. No; for all time.

Mr. VOORHIS. That is, as soon as Congress appropriated \$293,000 more for this purpose, then there has to be another authorization anyway, if you are to continue this survey?

Mr. WATTS. That is correct.

Mr. VOORHIS. Then, as I get the picture, the purpose of this bill is to get the authorization so that you can have some assurance that you can continue this survey work in the future. Is that correct?

Mr. WATTS. That is correct.

Mr. VOORHIS. But it will not materially alter the work you are doing—the work you are going to do during the war.

Mr. WATTS. Not in the least.

Mr. VOORHIS. In other words, you won't do any more work on this survey during the war than you are doing now, even if this bill is passed?

Mr. WATTS. That is right.

Mr. POAGE. You mentioned a subject I wanted to ask you about. You said that \$13,000,000 of this \$52,000,000 was for the guayule project. Isn't it a fact that about half that money or maybe more than that was never spent and was actually turned back to the Treasury, and that you haven't got anything for guayule now?

Mr. WATTS. I would like Mr. Granger to answer that question. He knows more about that than I do.

Mr. GRANGER. That \$13,000,000 is in process of being spent now. What was turned back to the Treasury was something over \$7,000,000 left over from previous appropriations, appropriations covering previous fiscal years.

Mr. POAGE. You haven't any money to carry on the project with now?

Mr. GRANGER. We have money to carry on the project that was authorized at the time the current year's appropriations were made, but what we lack now is money to carry out the larger program which we have been asked to undertake by the Rubber Director.

Mr. POAGE. Wait a minute. A year and a half ago this committee had before it legislation to purchase the property of the Intercontinental Rubber Co., and we did purchase the property of the Intercontinental Rubber Co., a large corporation in California. We purchased all the seeds of the guayule plant in the world, I suppose, and we authorized the planting of test plots wherever you folks felt there was a reasonable chance of making a successful test. Now, as I understand it, you have planted two or three hundred acres in the State of Texas so far, as we are just ready to try a whole lot more, and you have got the plants on hand. That is right, is it not—you have the plants on hand now?

Mr. GRANGER. Yes.

Mr. POAGE. But you haven't any money to put them out. Am I right on that?

Mr. GRANGER. You are right about that.

Mr. POAGE. And the plants are going to waste if you don't get them out this winter, as I understand it.

Mr. GRANGER. That is right.

Mr. POAGE. They have got to be planted between now and March, have they not, in order to use that great volume of plants? And you have many other things; you built nurseries down in Texas, and put in pipes and that sort of stuff, and you are not using it.

Mr. GRANGER. The reason we are not using it is that it was installed in anticipation of the larger program for which we have no funds.

Mr. POAGE. You had the money at one time for that program. The present plan is a cut-down plan, is it not, due to the recommendation of the Rubber Director last March.

Mr. GRANGER. That is right; the present program is considerably shrunk from what we were once asked to do.

Mr. POAGE. And it was cut down, as I understand it, because the then Rubber Director decided that possibly we could get the rubber we needed from our good neighbors in Central and South America, and we should not offend anybody by growing anything ourselves, but we should import everything we intended to use, rather than try to grow anything in the United States. Is that the philosophy on which we failed to develop this program?

Mr. GRANGER. When the Rubber Director first asked us to hold in abeyance part of the appropriation recommendations we were about to make for the project, it was, as I understand it, because he was not sure how rapidly or how successfully the synthetic program would develop, and how much rubber would be available from foreign sources, and while that was still held in abeyance, along came the question of whether we should take land that could be used to grow food and grow guayule rubber on that, and the combination of those two things resulted in the shrinking of the project to its present size which calls for \$13,000,000 during the present fiscal year. Subsequently, however, the Rubber Director, having refreshed his opinion on what the rubber outlook might be felt he would like to extend the program substantially above the present dimensions, and that is the reason we asked for a deficiency appropriation, which is going through the congressional processes now.

Mr. POAGE. And which did not get anywhere in the House.

Mr. GRANGER. No, but the Senate subcommittee, and I think the full committee has approved that item and it will eventually get back to the House, I hope.

Mr. POAGE. I hope so, too. Let me ask you this question. Suppose you don't get that money, or even if you do, what are you going to do with all these seeds and all this nursery stock we have on hand? Can you sell some of that to private individuals?

Mr. GRANGER. There are several things we might do with those plants.

Mr. POAGE. You have to do something practical, and pretty quickly. You can't make up your mind today and actually get the program at work too soon to get these plants out.

Mr. GRANGER. We can either sell some of these plants to people going ahead with a program in Mexico. I doubt if we could sell many of them.

Mr. POAGE. What are you getting for those plants in Mexico?

Mr. GRANGER. I can't tell you the exact figure, but we sold them some plants down there at what it cost us to produce them.

Mr. POAGE. That was the General Tire & Rubber Co. down there?

Mr. GRANGER. No, the Intercontinental Rubber Co.

Mr. POAGE. The General Tire is also operating down there, I understand.

Mr. GRANGER. Not yet, I believe.

Mr. POAGE. Will you sell those plants on this same basis to anybody who wants them in the United States?

Mr. GRANGER. Yes.

Mr. POAGE. Have you any idea what they did cost?

Mr. GRANGER. Around \$5 a thousand plants.

Mr. POAGE. That is pretty high. You plant about 8,000 to the acre, I understand.

Mr. GRANGER. About 11,000. The cost is less now than it was when we sold the first plants.

Mr. POAGE. What about seed? Can you sell seed?

Mr. GRANGER. Yes, we have a lot of seed we could sell.

Mr. POAGE. Do you sell with it the method to make it sprout? The seed isn't worth anything unless you can make it sprout.

Mr. GRANGER. Yes; we sell all the secrets. A third thing we might do, is to keep these plants in the nursery until they get big enough to put through the factory and get some rubber out of them. That would be a rather doubtful procedure on the cost side, because the nursery rental is rather high, and we might not get enough out of it to justify operating the nursery a couple of years longer.

The CHAIRMAN. Mr. Poage, we are not dealing with guayule rubber in this bill.

Mr. POAGE. I think that the guayule question is rather important.

The CHAIRMAN. I think so, too, but it is not in here.

Mr. POAGE. All right.

The CHAIRMAN. We will get back on the bill and then if you have further question to ask when we have concluded, you may do so.

Mr. HALL. Dr. Watts, you are aware that in time of war we are often inclined to exploit our resources and so forth and go ahead and try to do a lot of things. You will recall in the First World War we did a lot of manufacturing of ships and so forth out of green lumber, and various articles that had no value whatsoever after the war. Will this survey in the case of forests contemplate the elimination of waste by recommendations on your part? Do you have any facilities to recommend, we will say, the avoiding of certain wastes of various kinds, by denuding certain lots, we will say, and saving others that you think might be more useful? In other words, so that we can enter upon this entire program intelligently and conduct our forest resources in a rational manner?

Mr. WATTS. Congressman Hill, the problem which you bring up is one that is of tremendous importance, insofar as the forest survey is concerned. As you can see from the presentation so far, it is primarily a fact-finding project. However, in writing our reports by counties and by State, and by regions, those facts are accompanied by recommendations as to the possible or desirable program for keeping our forest lands fully productive.

Mr. HALL. You see my point?

Mr. WATTS. I do.

Mr. HALL. I hate to see the United States Government get into a program—well, we are already in it—a program of war manufacture

where we will waste our natural resources. I think one of the greatest things we have, one of our greatest assets, is our forest land.

Mr. WATTS. Yes, sir.

Mr. HALL. Our forest preserves, and so forth, and my interest in your survey is solely to ask you if you feel we have saved a great deal in the way of our national resources and in providing for our future so far as the forest growth is concerned.

Mr. WATTS. I think that the survey is absolutely essential to working out the program which you suggest, and we do have to have the facts in order to work out the program.

Mr. HALL. Thank you.

Mr. WATTS. Mr. Chairman, I think I have presented about all I have in mind. The forest survey is, in my judgment, a tremendously important instrument in bringing about the practice of good forestry in this country. The authorization under which we are working is so nearly exhausted that we need this legislation we are talking about only in order that we may approach it on a wise basis. Otherwise we go into the next fiscal year on the basis of liquidating the project. I think it is very desirable that the action proposed here be taken, and if it is your wish we will furnish you with language having to do with limitation in the authorization.

The CHAIRMAN. I would like you to do that, and we can take that up when we take the bill up in executive session.

Mr. WATTS. We will be glad to do that.

Mr. PACE. Dr. Watts, in that connection, if Congress doesn't give you any more money than it gave you this year for the next 2 years, you would still have ample authorization for 2 more years, because you stated there was still a balance of \$293,000. They gave you \$140,000 this year. If they gave you the same amount for the next 2 years, you will have consumed only \$280,000 of the \$293,000, so I do not exactly grasp the idea of the emergency.

Mr. WATTS. Actually, we would hope that the Congress would give us more than the \$140,000. Last year the Bureau of the Budget approved \$200,000.

Mr. PACE. But they don't do the appropriating.

Mr. WATTS. I know they don't.

Mr. PACE. Dr. Watts, last year you had about \$203,000 for the fiscal year?

Mr. WATTS. Yes, sir; this year \$140,000.

Mr. PACE. You stated to the committee you expended that on the survey and the survey alone. Is that correct?

Mr. WATTS. On the various phases of the survey; that is correct.

Mr. PACE. Was that in new surveys or in keeping old surveys current?

Mr. WATTS. In keeping the old survey current and in the phases having to do with the production and the requirements for forest products.

Mr. PACE. Which is not a survey.

Mr. WATTS. Yes; it is one of the phases of the survey.

Mr. PACE. Will you file with the committee, today, if you can, not to be incorporated in the hearings, but for the information of the committee, the surveys you made in expending that \$200,000? A report of what you did, the surveys you made and so forth. Can you give us that today?

Mr. WATTS. What year are you talking about?

Mr. PACE. I am talking about the money you have already spent for 1943, the \$202,629 that was appropriated to you for the fiscal year 1943.

Mr. WATTS. That is the last full year?

Mr. PACE. That is right. That money has been spent. You are now spending, I presume, the \$140,000.

Mr. WATTS. We can get that for you.

Mr. PACE. I want a report on the surveys you have made. In other words, I want the report that is already prepared. What do you do with these reports when you prepare them?

Mr. WATTS. You mean the report of the expenditure of the money?

Mr. PACE. On the survey you make. What do you do with them, just file them away?

Mr. WATTS. No; they are used by many, many different people.

Mr. PACE. All right. That is what I want, the surveys that you made, and have furnished to the industry and the timber people and everybody else, the surveys that you made in expending the \$202,629 that was appropriated for the survey in the fiscal year 1943.

Mr. FORSLING. Mr. Chairman, may I explain or qualify that question just a little bit? During the fiscal year 1943 we issued a number of reports on the regular surveys that were in the course of preparation. Some have come out in this last fiscal year. But other than that, all of our work went into the supplying of specific information to the War Production Board.

Mr. PACE. That is the point I have been making, and you have been denying it—that every dime of this money has been going for war work and not for surveys. And now you said that.

Mr. FORSLING. It is a part of the survey. Supplying information is the whole object of the survey. And during the last two years, preceding this fiscal year, the work was aimed in that direction, of keeping this current and supplying information to the War Production Board.

Mr. PACE. I want you to file with the committee a statement showing the expenditure of this \$202,629, and file with the committee every report that you prepared to the War Production Board, the Army, the Navy, private interests, private timber holders, as the outgrowth of your expenditure of that \$202,000.

Mr. FORSLING. That will be a very large number of reports, currently spread over monthly and quarterly periods, and current correspondence back and forth on filling the particular requests of the War Production Board. I will be very glad to supply as many of these as I can, but we can't get that information to you today.

Mr. HOPE. May I ask the gentleman—you don't mean that it is to become a part of the record?

Mr. PACE. No; no. I have stated that.

The CHAIRMAN. I am sure Mr. Watts will furnish us with any information that they have, and in connection with your appearance here, at the conclusion of your testimony, may I say that in my opinion the Forest Service is the most efficient department we have in the Federal Government, and it does more good with less money than any other department.

Mr. WATTS. That is very kind of you, Mr. Chairman.

STATEMENT OF HON. JENNINGS RANDOLPH, A MEMBER OF
CONGRESS FROM THE STATE OF WEST VIRGINIA

MR. RANDOLPH. Mr. Chairman and gentlemen of the committee, I appreciate the opportunity of bringing to your attention H. R. 1456, which is a companion bill to that pending in the Senate introduced by Mr. McNary, of Oregon.

I am furnishing as a part of my statement a map, which I believe will be of interest to you.

(The map in question is on file with the committee.)

Mr. Chairman, I have introduced an amendment to H. R. 1456, which has to do with the national forest survey. It, of course, relates to section 9, of the McSweeney-McNary Act of May 22, 1928, which authorizes a Nation-wide forest survey in the United States and provides for an authorization for appropriations to continue the work.

Unlike the other sections of the act, section 9, to which this amendment would go, contains a restrictive financial limitation. Its purpose is to remove this restriction and place this section on the same basis as the other sections of the act, and thereby make possible the completion of this forest survey.

The forests in my own State of West Virginia have not yet been inventoried. This act was passed several years ago, as we know, and work started in 1930 on a limited scale, but our total forest land is by no means covered by this inventory. It is an enormous undertaking because forests cover some 600,000,000 acres in the United States, or approximately one-third of our continental confines. This survey, which studies all forest land, not only public but private, is progressing too slowly. The need for the information is urgent because it is basic to sound forest policies and programs—by States, regions, and nationally, which are especially necessary in post-war work.

After more than 300 years of settlement this country is still forced to rely on estimates or guesses about a national resource which keeps numerous industries going and paying wages which support five to six million persons. In addition, woodlands help support 2½ million farm families. The Government spends millions to collect information on the production of soil crops other than timber, and I think the farmers are entitled to the same consideration regarding their woodlands which make up one-third of our commercial forest land.

Forest lands supply game with food and shelter and millions of Americans with opportunity for recreation. Forests conserve water and help prevent floods and erosion.

Forests are one of our most important renewable natural resources. They must be managed, not mined. This resource must be perpetuated and made secure for the people. And I would like to paraphrase my prepared statement at this point by saying that certain scientists and research experts in America today believe that it is very possible that within 40 or 50 years from now we will be thinking very definitely in terms of the production of fuels from wood products, and so I would like to attempt to reinforce what I have said here on the other values of forest products from the standpoint of a possible source of fuel in the future.

To set up this type of program we must make it perpetuating, and we must bring it to the people in a manner which will cause it to be secure. To set up policies and programs to do this requires authentic information such as the forest survey is obtaining on the extent, location, and condition of forest land and the timber on it, the rate of depletion and the present and prospective requirements of the country for the forest products which we know will be increasingly used.

As I conclude, I should like to say that the Forest Service, at my request, informs me that when the survey was begun it was estimated that without the benefit of precedent or experience with which to guide their activity, that on a 12- to 15-year job basis the cost would be six-tenths of a cent an acre. It is taking longer and it is costing more to do, and it is believed that it is slightly in excess of 1 cent an acre to carry forward this program, largely due to the meeting of the heavy demand for its findings and for the necessity of broadening the scope of the work to keep pace with our land planning in the United States.

Only one-half of the total forest area, mainly in the Northwest, the Lake States, and the South, has been covered by field work. The equally time-consuming and more difficult office analysis for this area is about three-fourths completed.

Much of this progress was accomplished, as you gentlemen know, with emergency funds, but they are no longer available, and perhaps, at least in the immediate future, they would not be in prospect.

The maximum appropriation of \$250,000 per annum under the present act is only enough to analyze the information for the 300,000,000 acres studied, keep up with requests for information and inventory from 5 to 10 million acres per year. The survey, therefore, I believe it is fair to say is almost stagnated in the middle of the job, and at present is devoting a large share of its time to necessary work for the War Production Board and other defense agencies of the Government, and the most urgent reason, as I see it this morning, for the passage of the amendment which I have proposed, is that the \$3,000,000 authorized to start the survey will be practically exhausted by the coming year's appropriation.

The work must then stop, unless we authorize funds for an additional appropriation.

Requests continue to come to the Forest Service from Federal, State, and private agencies and individuals for results of the survey, even though incomplete, and they are utterly lacking for one-half the forest area nationally, including West Virginia, California, the Northeast, Central, and Rocky Mountain regions. Moreover, the completion of the program is essential to the execution of whatever type of forest conservation the Congress may formulate as a result of its own studies.

Of course, I desire the forest survey to reach West Virginia soon after the end of the war and to carry on and over the rest of the Nation quickly. I believe, also, that information on forest lands for all the other sections is likewise necessary for post-war plans which must extend over State boundaries in many cases and become regional and national programs.

Under the limitations of the present act this is impossible. If H. R. 1456 is enacted adequate appropriations would be authorized so that the survey could be completed nationally in the new few years, which I feel would be a thoroughly constructive undertaking.

I would be glad to answer any questions.

Mr. HOPE. As I understand your bill, you would take off any limitation on the total amount which might be appropriated for the completion of this work?

Mr. RANDOLPH. That is right. In the beginning we had \$3,000,000.

Mr. HOPE. I think you have shown that is not sufficient, but don't you think this committee should put some limitation in there, rather than just take off the limitation and leave it entirely up to the appropriation committee? Don't you think we should try to find out what amount is necessary to complete it, and then put some limitation in there?

Mr. RANDOLPH. I believe the gentleman from Kansas is correct, and I believe in the testimony of the officials of the United States Forest Service that that can be determined by questions, and I certainly would say, Mr. Hope, that your suggestion should be followed up by this committee.

Mr. HOPE. You wouldn't have any objection to an amendment of that kind?

Mr. RANDOLPH. No; in other words, I think it would strengthen this resolution in its presentation to the House.

The CHAIRMAN. Under the present act you have an authorization of \$3,000,000?

Mr. RANDOLPH. That is correct, and about half the job done.

The CHAIRMAN. As I understand it, that authorization is limited to \$250,000 a year.

Mr. RANDOLPH. That is correct.

The CHAIRMAN. Do you think that limitation should be taken off? Does the Forest Service need more than \$250,000 a year to carry on this survey?

Mr. RANDOLPH. I believe that question can be better answered by the officials of the Forest Service. It was thought originally that amount would be programmed each year and the work could be done constructively. You must remember that there came the impact of war, and perhaps after the war it may be necessary to do this job a little more quickly, so that any additional annual appropriation may be desirable.

Mr. PACE. Notwithstanding the authorization up to \$250,000 a year, Congress did not give you but \$140,000 last year.

Mr. RANDOLPH. That is right.

Mr. PACE. There doesn't seem to be any pressing need for increasing the annual appropriation. The forest reserve has requested \$200,000.

Mr. RANDOLPH. That was last year.

Mr. PACE. For the present fiscal year.

Mr. RANDOLPH. Yes, sir.

Mr. PACE. And I notice here in the act that the House and Senate agreed on \$140,000. There is one other question I would like to ask. Does the gentleman feel that under existing conditions this work should be carried on right now?

Mr. RANDOLPH. No; I don't, Mr. Pace. But I do feel it is the proper time for this committee to act in connection with the future development through the authorization in the amendment I have suggested.

Mr. PACE. I might say that I referred this amendment to some members of the appropriations subcommittee, and they are very evidently of the opinion that it is not a war measure, an emergency does not

exist at this time. I have no views on that myself. That is the reason I was asking the gentleman what his reaction was.

Mr. ANDRESEN. Mr. Randolph, you indicated the survey would be completed within a few years. Just how many years do you think it would take to complete the survey?

Mr. RANDOLPH. I would say approximately 10 years. That simply is my own feeling. I say 10 years, and I am advised by officials of the Forest Service that it could be and probably would be completed in from 6 to 8 years.

Mr. ANDRESEN. And that would terminate this type of work, or would it be a continuing problem to analyze and survey new areas after that period?

Mr. RANDOLPH. No; I think we would have done the job.

Now there may be reason, at certain times after this information which has been accumulated, to be used for certain intensive surveys in various parts of the country, but I believe the over-all job would be completed, and I can see no reason for large expenditures of money in connection with further developments.

Mr. GILCHRIST. That may be true, but it would be a continuous appropriation.

Mr. RANDOLPH. That is true.

Mr. ANDRESEN. What is the minimum amount that will be necessary to complete this survey over this 6- to 8-year period?

Mr. RANDOLPH. That again would be a guess on my part. I suggest that Mr. Watts and other men of the Forest Service could better direct their answers to questions of that type.

Mr. GILCHRIST. How many acres did you say there were in these forest lands?

Mr. RANDOLPH. Six hundred million.

Mr. ANDRESEN. Of course, of those 600,000,000, it is probably true that most of it is not accessible. That is, it is great forest lands where there are forests alone, and not farm lands.

Mr. RANDOLPH. Some of it is certainly inaccessible and is not used for farming in the sense which we understand that term.

Mr. ANDRESEN. And probably never would be.

Mr. RANDOLPH. And probably never would be. Of course we do know that there are about two and one-half million farm families which actually exist off the products of the farm lands in connection with their agricultural pursuits. I think they go hand-in-hand in certain sections. In others they do not.

Mr. GILCHRIST. I will try to get your idea of the real farm lots here. I think we ought to preserve the forests of this country, but the suggestion that it should go to the farmers, or would go to the farmers is hardly appropriate, because most of this land is not accessible, and therefore it will simply mean that it will be forest land alone, timbering alone, for some time to come.

Mr. RANDOLPH. I don't believe, Mr. Gilchrist, I entirely agree with your premise. I believe the majority, of course, of the forest lands in America are impracticable as of the present for use for farming activity, but I do believe there is a considerable acreage which supports not only the farm population, but also makes a good yield from the standpoint of forest products.

Mr. GILCHRIST. Undoubtedly that is true. You say here in your bill that this appropriation should be handled on the same basis as

the other appropriations are. I don't know whether you said in your statement what that will be. How are the other appropriations allocated?

Mr. RANDOLPH. There is a financial limitation in connection with it.

The CHAIRMAN. May I interrupt there, Mr. Gilchrist? I believe the Forest Service will furnish us with all that information.

Mr. GILCHRIST. That is all right. I would like to know what the bill does.

Mr. RANDOLPH. Yes; and I want to answer any questions. It is not my desire to switch the testimony to others.

Mr. GRANGER. In answer to Mr. Pace, about the appropriation and the authorization of \$250,000, as we had it last year, the subcommittee on appropriations used as an argument that this was not in the interest of the war effort. They did not deny that the Forest Service needed what they asked for, but they cut it down because they thought personnel and other things were unavailable to carry on the work. Is that true?

Mr. RANDOLPH. I think that is true. They felt, during the prosecution of the war, it would just be in the nature of a development that the personnel and materiel would not be ready to do a job on. I do feel that we failed to plan as well as we might have for the use of our forest products in connection with the prosecution of the war. I believe that is testified to by many persons.

Mr. GRANGER. Yes; I think that is true in connection or in justification of the use of private funds in connection with the Federal grants. It would be very practical, would it not, to fight fire, or to cope with the menace of beetles, if forest grounds and private grounds were mixed up together?

Mr. RANDOLPH. I agree with the gentleman. I believe there has to be this over-all control.

Mr. GRANGER. And the same with flood control?

Mr. RANDOLPH. Yes, sir.

Mr. GRANGER. I wish to say to the gentleman that I wish to congratulate him on the introduction of legislation of this kind. It is a very fine piece of legislation.

Mr. RANDOLPH. Mr. Granger, I deeply appreciate that comment, and I am happy, Mr. Chairman, to have had the opportunity of appearing before the committee.

Mr. WICKERSHAM. Mr. Randolph, your bill was introduced in the House before the one that was introduced in the Senate, or were they introduced at the same time?

Mr. RANDOLPH. This legislation has been presented twice in the House. The reintroduction of the bill, the one we are now considering, was January 22, 1943, and I am not advised of the introduction date of the companion bill in the Senate. I should say the companion bill in the Senate was introduced approximately 2 weeks prior to this measure.

Mr. WICKERSHAM. You also had one pending last session?

Mr. RANDOLPH. That is right. It is a reintroduction of legislation which was sponsored by Mr. McNary and myself on that occasion.

The CHAIRMAN. We thank you, Congressman Randolph.

Mr. RANDOLPH. Thank you, Mr. Chairman, and members of the committee.

The CHAIRMAN. Colonel Greeley.

STATEMENT OF COL. W. B. GREELEY, SECRETARY-MANAGER, WEST
COAST LUMBERMEN'S ASSOCIATION, SEATTLE, WASH.

Mr. GREELEY. Mr. Chairman, perhaps I can clear up two or three of the points you have had under discussion.

In the Pacific Northwest, western Oregon, and Washington, with which I am familiar, the original survey has been completed. It has been published in a very convenient form. You will find that report in the offices of practically every lumber company and timber company in the region. Beyond that the Forest Service has been able there to make a check survey of 21 of our most important timbered counties in western Oregon and Washington. Their check survey was made approximately 10 years after the first survey, and that gave us a current picture of what was happening in those 21 heavily timbered counties by way of current timber depletion, the amount of regrowth, the acreage of denuded land that is not in timbered crops, in comparison with the land that is in timber crops, and this data, both the original survey and the check survey, is the basis of our whole forest calculations in the region. It is the only authentic basic study of forest resources that we have, and we all use it, the forest industries, the States and the Government, in all our plans and calculations.

It seems to me, sir, especially during this period of war, and as a preparation for post-war planning, that it is most important that that type of information be made available for all of the forested States, and the very fact, sir, that heavy inroads are now being made upon our forests for war necessities, is all the more reason, in my judgment, why we should currently keep our information up-to-date, to know just where our timber resources are being badly depleted, and as we enter the post-war period, just what we have left in the way of both standing timber and in growth, oncoming in growth, and in answer to the question of the gentleman here, this survey is the only authentic basis we have to tell us just where we stand in forest drain versus regrowth, what the gap is.

In our region, for example, the check survey of the 21 counties shows that we are gaining in forest growth, but we are not gaining fast enough, and we still have a serious gap to overcome before our regrowth catches up with the rate of present use of our timber.

That is just basic information, sir, to any sound national forest policy, just an inventory to start with, and I think, especially as we consider the inroads of the war, and the need for post-war planning, this is most essential information.

Mr. ANDRESEN. You represent an association on the Pacific coast which consists of the private ownership of forest land in that area?

Colonel GREELEY. Yes, sir.

Mr. ANDRESEN. Do not the private interests make annual surveys of their holdings of timber, so that they have a pretty good idea of the amount of standing timber and the amount of timber that is cut?

Colonel GREELEY. Yes, sir. The more substantial companies do that. They know what their cut is from year to year, and have a pretty fair idea of their resources in the way of new timber. But many of the outfits do not, Mr. Andresen; many of the small loggers have no records. There is a vast acreage of small holdings in our region, of which there is no accurate record except that obtained by

the Forest Service in these studies. Of course, the timber owners who have accurate cruises of their timber turn all that information over to the Forest Service, and they use it in compiling their totals for the region.

Mr. ANDRESEN. That was what I was trying to get at, whether or not there was cooperation between the private owners and the Forest Service in supplying the information.

Colonel GREELEY. I think Mr. Watts will tell you the forest owners who have accurate timber cruises have been glad to turn them over to the Government for use in this compilation.

Mr. ANDRESEN. Of course, the gap you refer to in production catching up with demand, the reason for the big gap is because of the big demand at the present time for lumber for war purposes.

Colonel GREELEY. As a matter of fact, the present cut for war purposes is no greater than our cut in many years for peacetime purposes, but at the same time the gap is there, and we are having a serious inroad in our highest quality timber, like airplane timber, battleship decking, pontoon timber. We are cutting into that very rapidly because of war necessities. That is all part of the basic information we should have. The industry needs it in planning our post-war program in forestry.

Mr. ANDRESEN. You cut as much as you can get men and machinery to cut it with?

Colonel GREELEY. Yes, sir. Our present limitation is manpower. We would cut half as much again if we could get the men to do it with, to meet war requirements.

The CHAIRMAN. Colonel Greeley, you appear here as representing the West Coast Lumbermen's Association. I want to ask you if at one time you were head of the Forestry Department of the Government.

Colonel GREELEY. Yes, sir.

The CHAIRMAN. For how many years?

Colonel GREELEY. I was with the Forest Service for about 25 years altogether, and about 8 years as Chief.

The CHAIRMAN. I just wanted the record to show that.

Colonel GREELEY. Thank you, gentlemen.

STATEMENT OF P. L. BUTTRICK, REPRESENTING THE AMERICAN FORESTRY ASSOCIATION, WASHINGTON, D. C.

Mr. BUTTRICK. Mr. Chairman, my name is Phillip L. Buttrick. I represent the American Forestry Association.

This association was one of the sponsors of the McSweeney-McNary bill which established the forest survey under discussion today. This forest survey has never been completed. In whole sections of the country it has never even been started. The original \$3,000,000 authorized has been practically exhausted. The passage of this bill, H. R. 1456, is therefore necessary to enable Congress to make the required appropriations to continue and complete it.

Its completion is essential to an understanding of the relation between growth and drain on our forests. No lumber or pulp company could make future plans for its operation unless it knows the relation of cut and growth on its holdings.

Neither can the people of the United States establish sound policies until they know the relation between growth and drain on the forests of the country as a whole.

The officers and directors of the American Forestry Association therefore endorse the principles of H. R. 1456.

The CHAIRMAN. We thank you for your statement, Mr. Buttrick. Mr. Brenckman, of the National Grange.

STATEMENT OF FRED BRECKMAN, WASHINGTON REPRESENTATIVE OF THE NATIONAL GRANGE

Mr. BRECKMAN. Mr. Chairman, my name is Fred Brenckman; I am Washington representative of the National Grange.

Perhaps one of the greatest sins with which the American people are chargeable lies in the manner in which we have squandered our forest resources. Even the celebrated Coal Oil Johnny was not more prodigal in squandering the easily acquired wealth which came to him from underneath the ground than we have been in dissipating the great natural wealth of our forests. It is important that we should take proper steps to conserve what remains of this wealth and to provide for sustained timber production.

The National Grange is interested in the completion of the forest survey, because one-third of the forest land of the Nation is in farm wood lots, which contribute substantially to the support of 3,000,000 farm families.

The CHAIRMAN. What acreage did you say was in the farms?

Mr. BRECKMAN. I said one-third of our forest lands are in farm wood lots.

Our farm wood lots comprise about 185 million acres, or an average of about 50 acres per farm. Between 6 and 7 billion board feet of lumber is required annually by our farmers. In addition, vast quantities of fuel wood, posts, poles, and so forth, come from these wood lots. It is, therefore, important that they should be properly handled.

But before any natural resource can be intelligently managed, basic facts about it must be available. The forest survey is obtaining this information for both private and public forest lands of all kinds as a basis for sound programs and policies.

As we understand it, about one-half of the country's forests have been surveyed, and the appropriation made to conduct this work is nearly exhausted.

The National Grange has formally recommended the speedy completion of the forest survey. The war has brought home the critical need for information on farm production, whether it be food, fiber, or lumber. Since the purpose of the forest-survey amendment which is now being considered is to authorize funds to complete the survey for the remainder of the country, we favor its enactment. Considerable funds are expended annually to obtain production data on farm crops other than timber, and we feel that more facts about the wood lots are needed for sound land-use management on farms.

Mr. ZIMMERMAN. You say we authorized about \$250,000 a year, and about \$3,000,000 was authorized for this purpose. We have been running about 6 years on this survey.

Mr. BRECKMAN. We have been running longer than that, I guess. The act was passed in 1928, and the members of the Forest Service can tell you how long they have been at it. I don't know exactly.

Mr. ZIMMERMAN. It would take about 6 years to cost \$3,000,000, according to your figures.

Mr. BRECKMAN. It would take longer than that. At \$250,000 a year, it would take 4 years to exhaust a million. It would take 12 years to exhaust the whole of it.

Mr. ZIMMERMAN. You spoke of the number of acres that are in farm wood lots.

Mr. BRECKMAN. My statement was that there were about 185 million acres in farm wood lots, and that the average farm wood lot amounts to about 50 acres.

Mr. ZIMMERMAN. Hasn't the Department of Agriculture over the years been making a study of the proper use of timber on our wood lots on our farms, and devoting a lot of time and investigation to that problem in connection with agriculture?

Mr. BRECKMAN. Yes; the extension foresters have been of great help to a few farmers in managing their farm wood lots properly. They show them which trees to cut and many other things, and right now in a few places a marketing program is in effect under which the farmer is advised how to estimate the value of his timber. That is an important matter for the average farmer. A speculator or somebody like that may come around and say, "I will give you a thousand dollars for the timber on your place." The farmer, not having an accurate idea as to the value of the timber, might fall for that proposition, where if he had a chance to consult with somebody to make an intelligent estimate for him, that person might say, "Why, you can get a thousand dollars for half of it, and still have the rest." It is of great value to the farmer to get the right kind of information when he needs it.

Mr. ZIMMERMAN. That is being supplied by the Department of Agriculture, is it not?

Mr. BRECKMAN. Yes; in limited areas.

Mr. ZIMMERMAN. So the necessary information as to the handling of these lands is handled by a group already set up.

Mr. BRECKMAN. Yes; but only in a few areas.

Mr. ZIMMERMAN. In addition to the Forest Service?

Mr. BRECKMAN. That is right. In addition to men on the national forests.

Mr. GRANGER. This 185,000,000 acres you are talking about is not forest land, is it? That is, in the sense we were dealing with forest lands this morning.

Mr. BRECKMAN. It is in the form of wood lots attached to the farms. In this section of the country in particular, most farms have a wood lot, and if you put them all together the total is about 185 million acres.

Mr. GRANGER. Private acres; they belong to individuals.

Mr. BRECKMAN. Yes.

Mr. GRANGER. It doesn't belong to the Forest Service?

The CHAIRMAN. It is not national forests.

Mr. GRANGER. It doesn't belong to the national forests.

Mr. BRECKMAN. No; it doesn't belong to the national forests; it is a part of the farms. It is privately owned land. The farmers own it, but still, as I pointed out, about one-third of all the forest lands in the United States is comprised in farm wood-lots, part of the farms.

Mr. POAGE. Have these farm wood lots been covered by this survey in the past; has it reached them?

Mr. BRECKMAN. I think it has reached them, but not in this section. They have simply surveyed to date the Northwest and the Lake States, and the South. I suppose in the South and in the Lake States it has covered the farms.

Mr. VOORHIS. Suppose a farmer were up against a proposition like you described a while ago; where would he go to get that information?

Mr. BRECKMAN. Well, he would have to get it from the extension forester, I think. They work in cooperation with the State forestry departments. In my home State, Pennsylvania, we have a first-class department of forests, and naturally it cooperates with the Federal department. But the few foresters can serve only a small fraction of the farmers.

Mr. HILL. Has the National Grange gone on record as favoring this legislation?

Mr. BRECKMAN. Yes; we formally endorsed it in national convention.

Mr. HILL. They passed a resolution?

Mr. BRECKMAN. Yes, sir; that is correct.

Mr. ANDRESEN. In connection with this survey of woodlots, could a farmer who has a woodlot request the Forestry Service to come in there and endeavor to find out how much he has of the different sizes; is that part of the survey?

Mr. BRECKMAN. I think so; wherever that service is established, it would be available to him.

Mr. WATTS. Might I answer that for the record?

Mr. ANDRESEN. Yes.

Mr. WATTS. Actually, so far as this particular project is concerned, we include the farm woodlots in the system of survey. It would not be sufficiently detailed for the farmer to use for an estimate of the timber on his 50 acres. I mean, it is accurate for the amount in the county or a group of counties or some such unit. The service the farmer gets in cases like you have mentioned comes through the Norris-Doxey Act or similar acts, from the extension forester, where the specific purpose is to give him just that sort of aid and assistance.

Mr. ANDRESEN. Under the proposed survey in his bill you would make just a sort of general estimate?

Mr. WATTS. That is right.

Mr. ANDRESEN. Of the holdings, or the amount of timber a farmer might have without coming in to make an actual survey of each tree to find out how much lumber he has on his lot.

Mr. WATTS. It would not be sufficiently detailed to use for such a purpose.

Mr. BRECKMAN. As I understand it, Mr. Andresen, the survey has been made by counties or larger areas. We were talking about services that were available to the farmer. That is not an essential part of this survey, as I understand it.

The CHAIRMAN. Thank you, Mr. Brenckman, for your appearance.

Mr. WATTS. Mr. Chairman, as you know, the State forester of Maryland, Mr. Kaylor, was here on Friday, ready to testify in behalf of this bill, and he could not be here today. He left me a two-page statement which he would like to have included in the record.

The CHAIRMAN. That may be done.

(The statement is as follows:)

BENEFITS TO BE DERIVED FROM FOREST SURVEY BY THE RESPECTIVE STATES—REMARKS BY JOSEPH F. KAYLOR, STATE FORESTER, 1409 FIDELITY BUILDING, BALTIMORE, MD., REPRESENTING ASSOCIATION OF STATE FORESTERS

In many States, forestry departments are considered the keystone of the conservation arch. Yet, as things stand, State officials must attempt to build a structure without adequate architectural plans. The forest survey will supply facts and figures for such plans.

State forestry agencies are continuously asked to produce factual information for forest industries, especially when emergency arises, and high-grade products are in demand. Many of the 41 States which I represent here today do not have the facts and figures to supply timber-using agencies, nor do they have this information to say definitely that we should or should not cut or remove what is very likely to be valuable growing-stock that may be sacrificed in a very wasteful manner. State forestry departments have, therefore, been placed in the rather awkward position of discouraging additional development of forest industries for fear that new industries will remove much of the potential wood fiber, and thereby wreck havoc in existing industries now using products of the forest.

State forestry departments are charged with the protection of nearly 400,000,000 acres of forest land. I must admit, as a representative of the State foresters, that we do not have adequate data on which to submit state-wide forest fire protection plans based on a knowledge of conditions, costs, and an acceptable plan of action. This cannot be worked out until we know more about the basic conditions of our timberlands, such as the total stand of timber, condition of the growing stock, growth and drain on the timber. We must have information upon which to establish forest transportation systems, the location of fire towers, and to determine administrative districts. It is also essential to indicate the ultrahigh hazard areas where intensive forest-fire protection is imperative.

As the agencies to whom our citizens look for information on forest products, the State foresters are continually called upon to make market studies, and similar investigations, but are faced with obsolete or inadequate information to form a basis for such activities.

Forest-type maps such as are developed by the forest survey should prove invaluable to other bureaus of the State conservation agencies. I refer to the assistance which could be rendered to game and fish authorities by supplying them with vegetative-cover maps to show what lands are best adapted to raising deer or quail, and what the carrying capacity of these lands is at the time of the investigation. With the survey's facts and figures State foresters are in position to effectuate a Nation-wide flood control program in the uplands. I am thoroughly convinced that for every dollar spent for intensive fire protection and upstream engineering work, a greater return in flood control and prevention of soil erosion can be derived than from any other public expenditure.

To permit State officials to function as they should in the public interest, we hope that your committee will approve and authorize a continuation of the forest survey.

The CHAIRMAN. We will adjourn now until 10 o'clock in the morning, when we will take up the remaining forestry bills.

(Whereupon at 11:55 a. m. the committee adjourned, to meet at 10 a. m., Wednesday, December 8, 1943.)



FORESTRY

WEDNESDAY, DECEMBER 8, 1943

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D. C.

The committee met at 10 a. m., the Honorable Hampton F. Fulmer (chairman) presiding.

The CHAIRMAN. The committee will come to order.

We will have first the statement of Congressman Stockman, of Oregon, on this matter.

STATEMENT OF HON. LOWELL STOCKMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

MR. STOCKMAN. Mr. Chairman, I speak in behalf of H. R. 1621, as introduced by me on February 1, 1943. This bill was introduced as a companion to S. 250, which Senator McNary, of Oregon, introduced in the Senate and which was passed in amended form on July 8, 1943.

The present form of S. 250 is the result of long and favorable conferences on the part of representatives of the Department of Agriculture and of the Department of the Interior. As passed by the Senate, S. 250 has the unqualified approval and recommendation of Secretary Claude R. Wickard, of the Department of Agriculture, and Secretary Harold L. Ickes, of the Department of the Interior. It would, therefore, appear desirable to amend H. R. 1621 to conform with S. 250.

Therefore, it is my hope and recommendation that this committee sees fit to recommend the amended H. R. 1621 for consideration by the House. The bill as approved by the Secretaries of the two interested Departments is vital to the future economy of the district which I represent.

My district includes some 12,496,000 acres of timberland with a total estimated stand of 101,698 million board feet of merchantable timber. Of the total area, 4,067,000 acres are in private ownership, 6,137,000 acres are in national forests, 1,162,000 acres are under the administration of the Office of Indian Affairs of the Department of the Interior, 47,000 acres are Oregon and California revested lands, and are also under the administration of the Department of the Interior. The remaining areas are in national parks, State lands, county lands, and other public ownership. The timberland owners and mills located in my district produced the bulk of Oregon's ponderosa pine, which in 1942 totaled 1,722,578,000 board feet.

Enactment of this sustained-yield bill, as it is known, will assure continued livelihood to a considerable portion of the population of eastern Oregon through the establishment of sustained-yield units which will assure the continued existence of the forests. Many of the forest operators whose properties are in my district do not own sufficient forest lands to assure continuous operation of their manufacturing plants. However, under arrangements such as would be authorized in this bill, if enacted, their properties can be combined with forests in Federal ownership so that the combined area can be economically operated on a sustained-yield basis.

This bill carries no appropriation, but does authorize Congress to appropriate such sums as it may consider to be necessary from time to time. The immediate costs incident to the contemplated hearings will be met from funds available for the protection or management of the federally owned or administered forest lands within the proposed unit.

The bill is in conformity with the act of August 28, 1937, under which the revested Oregon and California lands are being administered by the Department of the Interior. The principle of co-operative sustained-yield units and authority to sell timber without competition at not less than the appraisal value to responsible purchasers within the communities is in conformity with section 2 of the Oregon and California Act, and with that portion of section 1 which reads:

Timber sales from a forest unit shall be limited to the productive capacity of such unit and the Secretary is authorized in his discretion to reject any bids which may interfere with the sustained-yield management plan of any unit.

Without desiring to burden this committee with a lengthy statement, I would be glad to include for the record the names of several responsible companies whose employees as well as owners have expressed a desire for its early enactment. Moreover, the principle of this legislation was unanimously recommended for enactment by the Joint Congressional Committee on Forestry in its report to Congress dated March 24, 1943.

The CHAIRMAN. Mr. Watts.

STATEMENT OF LYLE F. WATTS, CHIEF, UNITED STATES FOREST SERVICE

Mr. WATTS. Mr. Chairman and members of the committee, Mr. C. M. Granger, in charge of administration of the national forests, is the best qualified to present the evidence on this bill of anyone in the Forest Service.

As a field officer of the United States Forest Service, I want to say that I have long felt that legislation of this character is highly desirable in the interest of conservation. I think it will go a long way to keeping privately owned forest land on the tax rolls and that it will bring about a really great deal of excellent forest practice on the privately owned lands, which otherwise would not be.

I would like to ask Mr. Granger to handle this testimony for the Forest Service.

The CHAIRMAN. Mr. Granger, we would like to hear from you.

STATEMENT OF C. M. GRANGER, REPRESENTING THE UNITED STATES FOREST SERVICE

MR. GRANGER. Mr. Chairman and members of the committee, one of the principal purposes of this legislation is to make it possible to have sustained-yield forestry practices on a considerable area of privately owned timberlands within the boundaries of the national forests, or immediately adjacent thereto, which without the benefit of the arrangements sought to be authorized by this legislation would probably be cut on a liquidation basis. Within a relatively short time the private timber would be gone and the communities primarily dependent on the operation of that enterprise would be left in a serious condition.

Within the national forests, which unfortunately were set up in the West, and even more so in the East, so late that a large part of the best timber had already passed into private ownership, there are substantial areas of private timber, many of which are already being operated, and they lie right next to national forest timber, which because of the geography of the country, so to speak, would go to the same operating point. In many cases those bodies of private timber, both the mature timber and the young timber, within the ownership are not great enough to interest the private owner in putting them on a permanent sustained-yield basis, or to make it practicable for him to do so, but if they could be combined with the adjacent national forest timber, there would be enough there to make a permanent operation feasible from the standpoint of the economics of the operation, and attractive to the owner, and I might say that a great many owners are becoming more and more interested in operating on a permanent basis instead of liquidating and closing out within a relatively short period of time.

Our principal concern here is not with the private operation as such, but rather with the community which is dependent on it, and there are a great many communities whose existence depends largely, if not entirely, on the continued operation of a sawmill or other wood-using plant. So what is proposed here is to authorize the department, either in the case of Agriculture for the national forests, or the Department of the Interior, where the lands under their administration are involved, to make a binding agreement with the owner of private timber which would otherwise be operated on a liquidation basis, whereby he will pool his timber for example with the national forest timber, cutting his timber in the manner and at a rate to be specified by the Secretary of Agriculture, and agreed upon by the private owner at the time this arrangement is set up, in return for which the private operator would have the privilege of buying the national forest timber as he comes to it, and as it is needed, to furnish part of the operating base, without competition which would make it possible for somebody to outbid him and take the timber away from that community for operation elsewhere, the effect of which often would be to create a new community not heretofore dependent on this timber, at the expense of one which has established a material dependence thereon.

In other cases competitive bidding would take the timber away from an established community and put it into the general log market where the logs may be divided among a number of mills, not one of

which could be put on a permanent basis by having the benefit of sharing in the products of the area.

The other feature of the legislation is to authorize the department to set up a sustained-yield unit consisting almost entirely of publicly owned timber, and providing for the sale of that timber without competition to an operating plant in a community which similarly has built up a heavy dependence upon the continued operation, and prevent the timber being taken to other places where the same degree of community dependence does not exist.

In either case the legislation provides for full hearings before any such unit is set up, or before any cooperative agreement is made, which would commit the publicly owned timber, so that anyone, any community, or any individual, who has what he thinks is a legitimate interest in the proposal would have full opportunity to be heard before any commitments by the department concerned are made.

It also provides that after such a unit is set up and a cooperative agreement entered into, but before any specific sale of timber is made to the cooperating party, public notice will be given, and if anyone deemed to have a legitimate interest desires to have a hearing before that transaction is consummated, that is provided for.

The doing away with competition in the sale of national forest timber, of course, departs from the traditional method established by legislation under which this public timber is sold. The process we go through in selling national forest timber is this; this applies to any sale where the value is more than \$500. We make as careful a determination as we can of the quantity and quality of the public timber, about what it will yield in the way of lumber or other products, what grades, and what the worth of the end product will be. We then determine as accurately as we can what it would cost to get the timber out and manufacture it, and the difference between the cost of operation and the value of the product which will be sold is divided then between a stumpage payment going to the public and a reasonable allowance for profit and risk to the operator.

When we put the timber up for competition there may or may not be more than one bid on it, depending upon how many operators are in position to bid. We have many cases in which there is only one bid because of the fact that no other operator is close enough to be interested in the timber, but we also have a great many cases in which there is quite lively competition, and through the operation of this competitive influence we have had confirmation, throughout the years, of the soundness of the appraisal procedure which we have followed and wherever there is a difference between the offered price by the bidder and the appraised value as determined by the department, it has not, under normal conditions, been very great, but to the extent that we have received higher offers than we advertised the timber for, that has in itself served to establish a value level for the national forest timber, which gives a good indication of what other bodies of timber, similarly located and of similar accessibility, are worth, so that we have a pretty reliable basis on which to determine the value of any other timber which would be sold without competition.

We feel, however, that the amount of money which the public receives for the timber is not necessarily the primary consideration. We would like to see the Government get all that the timber is worth,

but actually we believe that the net returns to the people as a whole are larger from those benefits which accrue to the labor which is used in harvesting and manufacturing the timber and in the taxes which come from the improvements necessary to that, and the stability of communities which are engaged largely or wholly in operating these timber bodies. In other words, it is more a matter of the over-all returns, tangible and intangible, from the operation of that timber which concerns the public, as owner, than the actual dollars and cents which it gets in the form of stumpage.

So, to reiterate, our primary concern in advocating this legislation is to furnish greater stability to dependent populations and not for the benefit of the owner of private timber as such.

The CHAIRMAN. Right there, just how would this S. 250 operate? Just give us an illustration of how it would operate. As I understand it, the privately owned timberland would be tied in with the Government timber.

Mr. GRANGER. Yes, sir.

The CHAIRMAN. And you would have a sawmill there that would be more or less permanent?

Mr. GRANGER. Yes.

The CHAIRMAN. And the cut of that sawmill, as I understand it, would be based more or less upon the annual stumpage available. How would you tie these farmers into that program? You have to enter into an agreement which runs with the private land?

Mr. GRANGER. Yes.

The CHAIRMAN. Would that agreement be binding upon the vendee?

Mr. GRANGER. That is right. Perhaps I can start at the beginning and sketch out a typical situation.

The CHAIRMAN. I wish you would do that.

Mr. GRANGER. We might have a situation in what we call the working circle, which is a geographical area in which the timber can be fed to a central point. Within that working circle a private owner may own enough timber so that if it were put on a permanent basis, he could cut 15,000,000 feet a year. His investment in the sawmill and other improvements might be such that he figures he cannot make money by cutting only 15,000,000 feet a year, he would have to cut 25,000,000 in order to pay out his investment, or he may not be interested, from the standpoint of his own timber alone, of trying to perpetuate that timber. But there is another body of timber right in that same neighborhood owned by the Government, which is national forest timber, we will say, which has a permanent capacity of 10,000,000 feet a year. So we add that to his timber, which makes a total operating cut possible of 25,000,000 feet a year, which is enough to allow him to place his operation on a permanent basis in consideration of the investment he has in it, so we make an agreement with him which might run for 40, 50, or 60 years, depending largely on how long it would take to cut the area over the first time, which would prescribe the rate at which the timber would be cut which belonged to him, and the rate at which the Government-owned timber would be cut, the cutting methods that would have to be employed, what is the proportion of his timber that would have to be left on the ground for a second cut, the care he would have to use in logging not to destroy the new

growth, the care he would have to exercise to observe fire precautions, and all those things that are necessary to insure the proper protection and proper operation of the stand.

He may start in on his own timber first and cut some of that, and then go to a patch of national forest timber, next in cutting order. At that time we would make a sale, appraising the value of the stumpage on the basis I have described, and he might cut for 3 or 4 years on the national forest timber and then go back on his own timber, and switch back later to the national forest timber again, depending upon the way the timber lies.

This agreement would be of such a nature that if he should sell out in whole or in part, any person to whom he sells would be similarly bound, and under the legislation, if he or his successor fails to continue to abide by the terms of the agreement, the legislation provides the Attorney General can go to court and get a court order enforcing compliance.

The CHAIRMAN. Could Farmer Brown enter into an agreement with the Government with respect to the way his timber would be marketed?

Mr. GRANGER. If the farmer had enough timber so that he could put it on a sustained operation basis along with the Government timber he would proceed exactly as I have described.

The CHAIRMAN. Whom would the farmer enter into an agreement with?

Mr. GRANGER. With the Government.

The CHAIRMAN. At so much per thousand feet, is that right?

Mr. GRANGER. He would be permitted to buy the Government timber at so much a thousand feet.

The CHAIRMAN. Just to develop the thought I had in mind, the agreement is for \$5 per thousand stumpage, let us say. Suppose the timber market goes down and that price for the stumpage is too high, or suppose it goes up and it is not high enough, what adjustment will be made?

Mr. GRANGER. Where we now have a long-time timber-sale agreement, running for more than 3 years, there is a provision in the contract by which the Secretary of Agriculture reappraises the value of the public timber which has been sold, and if the market has gone up substantially, he may fix the price of the stumpage higher than the initial figure. If it has gone down, he cannot go below the original price at which the timber was appraised. That, we believe, may be somewhat of a defect in the present law, but that is a matter of law—that the timber cannot be sold at less than its appraised value. If the price has once been adjusted upward above the \$5 figure which you used, then at the time of the second appraisal, if the market has dropped again, we can cut back to the \$5.

The CHAIRMAN. How often are these reappraisals made?

Mr. GRANGER. Usually every 3 years in the national forests.

The CHAIRMAN. You cannot go back of that low value of \$5 that I have used to develop the point, but suppose the lumber market goes to pieces, and the operator cannot afford to pay \$5 for stumpage and operate at a profit, is there a provision made to adjust it?

Mr. GRANGER. As I say, there is no authority under the law under which we sell timber to drop below the \$5 you have used, but we have other means of relief which are at least partially effective. One is to

amend the terms of the agreement by which he can postpone cutting of all or a part of the publicly owned timber until the market takes a turn for the better.

The CHAIRMAN. And that adjustment can only be made, under the bill, every 3 years?

Mr. GRANGER. No. That can be done at any time. The regular period is 3 years, but if conditions radically change in the interim at the option of the purchaser, if the price has been raised, a reappraisal may take place.

Mr. ZIMMERMAN. Can you tell me what legal barrier there is at this time which will prevent the Government from entering into such a contract with a private owner, without any additional legislation?

Mr. GRANGER. Yes. The present law, sir, requires that where national-forest timber being sold has a value greater than \$500, it must be sold through competitive bidding.

The CHAIRMAN. This cuts out the competitive bidding?

Mr. GRANGER. Yes.

Mr. ZIMMERMAN. That is the law that exists today as to all Government sales.

Mr. GRANGER. That is true of the national forests.

Mr. ZIMMERMAN. It is true as to all sales, I believe.

Mr. GRANGER. On what they call the Oregon and California grant lands, which are under the administration of the Department of the Interior, they have legislation which authorizes them to do most of what is proposed in this legislation. In other words, they can set up sustained-yield units and sell the timber thereon without competition if that is necessary in order to insure a sustained-yield operation. So that to that degree this pattern has already been established as to a part of the publicly owned timber.

Mr. ZIMMERMAN. This doesn't repeal any existing law, but it furnishes additional powers for the forestry department to deal with these tracts of land, is that right?

Mr. GRANGER. That is right. It does not at all repeal the provisions for selling national forest timber by competition, but merely waives it in these circumstances.

Mr. ZIMMERMAN. As I understand this, this plan is to enable the Government, in sections where there are private tracts of land, which might not be of a character that the operator could afford to go in there and market his timber in an orderly way, or where it would not be profitable for him to do that, by entering into an agreement with the Government where it has Government timber to sell, he can get a sustained profitable operation, and at the same time market his timber in an orderly way, so as to preserve the timber and do it in such a way that the timber would have an increasing value from year to year.

Mr. GRANGER. And maintain a permanent business for the community.

Mr. ZIMMERMAN. That is the purpose of this thing. It is a kind of cooperative scheme for the private owner to act in cooperation with the Government and have a profitable unit of land to operate over a long period of time, and then at the same time preserve the proper forestry practices and timber removing practices. That is the objective of this legislation?

Mr. GRANGER. Yes, sir, for the benefit of the community which is dependent upon this enterprise.

Mr. ZIMMERMAN. And it does not repeal any existing law as to how the Government can dispose of its larger tracts of timber where there is keen competition or great demand for it. It is only to bring these private tracts into a position where they can be properly handled?

Mr. GRANGER. That is right, and we would be extremely cautious about entering into such arrangements, to make sure we did not do so in situations where free competition would be more in the public interest.

Mr. ZIMMERMAN. In other words, this supplements your present marketing plan of Government-owned timber?

Mr. GRANGER. Precisely.

Mr. ZIMMERMAN. There is no way, then, in which this does away with the old plan. It just gives additional assistance, and I believe the gentleman from the Grange testified yesterday that 50 percent of all our timber reserves were in private owners, in wood lots.

Mr. GRANGER. I believe one-third is owned by farmers. At any rate, a very large proportion of the timber is owned by farmers, but an equally large proportion is owned by industrial owners. The Government is in the minority ownership; the national forests own about one-third of the remaining commercial timber in the country.

Mr. ZIMMERMAN. Of course, this plan you have been discussing here would apply to private timber owners as well as to the owners of farms.

Mr. GRANGER. Except that it is not very often that a farmer would have enough timber so that he could go into a sustained-yield operation in any large way. He can operate his own little patch of timber on a sustained-yield basis, but it is doubtful whether many farmers would have an operation on which there would be community dependency.

Mr. ZIMMERMAN. Really, then, this plan is applicable to the private timber interests, that own large tracts of timber scattered throughout the country.

Mr. GRANGER. As a usual thing the timber bodies which would lend themselves to this sort of an arrangement are fairly large. They would have to be if there is large community interest in them. However, under the other part of the bill, which would enable the Government to set up these units of Government timber only, in order that some community might not be stripped off, they could be much smaller in their dimensions than might be the case under the co-operative arrangement. They may have a fairly small mill.

Mr. POAGE. I just want to go into this phase of the thing. I think this idea of keeping it on a sustained basis is sound. I think that is a splendid idea. But I have not understood the legal procedure you are going through whereby you would get a contract with somebody where even though he sells out you are going to be able to enforce it. What are you going to do, buy an interest in his land? Unless you take an actual interest in his land, I don't think you can enforce that contract.

Mr. GRANGER. Of course the contract is one in which there are substantial considerations on both sides, and I can only quote the lawyers on that.

Mr. POAGE. You are going to record that in the deed record?

MR. GRANGER. It is going to be recorded, yes.

MR. POAGE. As affecting the right in that land?

MR. GRANGER. Yes, sir.

MR. POAGE. In other words, that contract is going to give the Government the right—or give it a right in the privately owned land, and give the private owner a right in the Government land?

MR. GRANGER. That is right, in the way I have described.

MR. POAGE. And that is what creates the cooperative arrangement. Actually it may be just an agreement between the Government and the operator.

MR. GRANGER. In many cases there may be but one operator, in other cases there may be more than one. The legislation provides for protecting the minority interest.

MR. POAGE. It speaks of this as a cooperative arrangement. Actually that is not, in the sense of a cooperative, exactly right, is it?

MR. GRANGER. No; it is just in the sense of cooperation between the Government and a private party. I think it is fair to say this, too, that even if we lacked the legal authority to enforce the contract, our belief is that after a private operator got started on this kind of a deal the advantages of a permanent operation would soon become apparent to him, so that he would have no desire to pull out.

MR. POAGE. I don't question the advantages of that. They seem clear to me. But I did want to see what the legal basis of it was.

MR. ZIMMERMAN. Have your attorneys gone into this phase of it? While you have existing law providing a method whereby the Government-owned timber may be marketed, in other words, by the competitive system, the very nature of this contract is just a little different from an ordinary sale of timber. It has in view the preservation of the timber, and a continuation of forestry development, and the proper marketing. Do you really think that you have to have that additional law to enter into such a contract? What does your legal department think?

MR. GRANGER. They say we must have this legislation, at least for two things: One is to authorize the sale of the Government timber without competition, and the other is to give us a binding hold on the private owner so that we can enforce compliance with the terms of this agreement.

MR. ZIMMERMAN. I would say that the mutual covenants in such a contract or agreement between the parties are such, as I understand it, that the Government would have the right to enter into an agreement with a private owner in such a way as to bind him, because when the Government gives something back to him, which it is giving, I assume, in the way of forest protection, advice, and furnishing statistics and things, that would be a sufficient consideration to bind the owner anyway. It seems to me that the only inhibition against such a contract under the existing law—this is just an offhand opinion, would be, maybe, the provision in the law requiring competitive bidding in all sales. But there is more than a sale in this, as I understand it. This has to do with the management and operation of these forest reserves, along with the disposition of the timber.

MR. GRANGER. We have a representative of the Solicitor of the Department of Agriculture here, if you would like to question him on that subject, sir.

Mr. ZIMMERMAN. It occurs to me there is a very interesting legal question there. I am not answering Mr. Poage's question, of course. You know you can sell land, and reserve the timber on it——

Mr. WICKERSHAM. And you can sell the timber and reserve the land.

Mr. ZIMMERMAN. Yes: you can sell the timber and reserve the land, and you can sell land and likewise reserve the oil or gas or all mineral substances in the land. That can be done, so that there would be no trouble along that line.

Mr. POAGE. I don't think there is any question about the right of anybody to sell any interest they want in any property they own. The only question I had here was were you going to make this an actual sale of a portion of the land that comes in under this contract. I think you have to make the sale at the time you enter into the contract if you are going to make it run with the land. Of course you can make a perfectly good contract, as you suggested, with the owner of this timber that he should do a certain thing, even without selling anything, and make it binding, as long as you can get a judgment against him, but if he sells the land to me, unless that is a covenant which runs with the land, I can repudiate it.

Mr. ZIMMERMAN. That is a covenant which runs with the land.

Mr. POAGE. It has to be so written. I don't say you can't do it.

The CHAIRMAN. I think we can get over the legal objections. But here is a fellow, Brown, who owns land adjacent to a national forest. Now he enters into an agreement with the Government, and the Government enters into a contract with sawmill A, to put in an operation. It would have to be for 40 or 50 years, it would be a permanent sawmill operation, which would be a real asset to that community. I can see those advantages. But now Farmer Brown has this contract for stumpage at so much an acre. I don't know whether stumpage will go up, or go down. But say in 20 years from now that stumpage is not worth as much money as what Farmer Brown got for his stumpage 20 years before. Are you going to adjust that price with Farmer Brown?

Mr. GRANGER. I guess I didn't catch the significance of your question when you brought that question up before. The cooperator is not paid for his stumpage. He operates his stumpage in the regular manner, puts it through his sawmill, and whatever he makes is profit to him. But when he buys the Government stumpage he pays so much for it, and if we give him a long-term contract, say for 15 years, then every 3 years or oftener, if the situation changes radically, we reappraise the value of that stumpage we have sold to him.

The CHAIRMAN. You, as the Government, would reserve the right over a 3-year period to adjust the price of the stumpage?

Mr. GRANGER. That he buys from us?

The CHAIRMAN. No, what Farmer Brown is paid.

Mr. GRANGER. He doesn't sell us any stumpage at all. He merely agrees he will operate his timber on such a basis that we will have a continuous operation. So he keeps under control all his timber, so far as the value of it is concerned, but merely agrees to operate it under specified conditions which will insure its permanency.

The CHAIRMAN. Suppose Farmer Brown is unable to agree with the sawmill man as to the value of that stumpage, what happens?

Mr. GRANGER. That is a transaction between Farmer Brown and the sawmill man, but we provide here that in case Farmer Brown's land was located right in the middle of this big man's holdings, and the big man would have a stranglehold on him, we would try to work out some arrangement whereby the big man would have to pay Farmer Brown a decent price for his timber as part of the consideration. In other words, we protect the little fellow that happens to be inside this unit.

The CHAIRMAN. But Farmer Brown, under the legislation, would not surrender any of his contractual rights to the Government?

Mr. GRANGER. No, no.

The CHAIRMAN. He would still stand there as the owner of that timber, and it would be up to him to contract with the sawmill operator?

Mr. GRANGER. That is right.

Mr. WICKERSHAM. There is no possibility, under this contract, that Farmers Smith, Brown, Jones, or Tom, Dick, or Harry, might dispose of their holdings and thereby create a monopoly by some big lumber company getting it all, including their rights?

Mr. GRANGER. Yes, that is possible. If there were some small holdings within this general unit, not controlled by a major interest in there, they might buy those up and thereby establish a monopoly. I think this permits monopoly in that sense, but we think it is a benevolent monopoly, because it operates to the advantage of the community concerned, by establishing a permanent set-up. We have to have a certain degree of monopoly here or the thing will not work at all. The monopoly consists in buying Government timber without competition.

Mr. WICKERSHAM. About how many years will it take us to get back to the position where we were at the beginning of this war with reference to the stand of timber? So much timber has been slaughtered; there hasn't been much kiln-dried or air-dried or anything else. They have just been cutting this green timber, a lot of it immature and constructing various projects with it. When will we get back to the place where we were before the war, using the normal supply of lumber? About how many years do you think it will take?

Mr. GRANGER. That is pretty hard to speculate on, because it involves the question of how much of a building program, public works and otherwise, will take place after the war. Of course, there will be a building deficiency in housing units that normally would have been constructed over this period, were it not for the diversion of the lumber to military purposes, and there might be quite a substantial public-works program, which will use considerable quantities of timber. So it is conceivable there may be a continuing demand for a few years which may be close to the present proportion of lumber used. On the other hand, it could occur that there would be a substantial slump as there was during the depression when the consumption dropped away down. We hope not, because that is a bad thing. To me it is better to avoid that slump, even though the forests are suffering somewhat, than it is to have too sharp a decline there. But it seems almost certain that there will be some drop in the consumption of lumber after the war, unless we go into the business of furnishing some to other countries for rehabilitation. Personally I doubt whether there will be very much of that shipping of lumber abroad.

Mr. WICKERSHAM. Even with a drop in consumption let us say it goes down gradually, for 3 years, using practically the same as we are using now. How many years will it take us to get back to where we were? The type of lumber we will get will be nothing like as good for a number of years. I would just like to get a general idea, using about the amount of lumber we are now using, how long it will take. Won't it take 20 or 25 years to get back where we were in 1940?

Mr. GRANGER. It will take much longer than that in some places. For instance, in the South, where they have gone in and cut small timber, barely big enough to make 2 x 4's which never should have been cut, it will take some time to regrow that. Out in the Pacific Northwest, where they have been cutting mature timber, there will still be a lot of that left, because they are only part way through the original virgin stand so we will still have fairly normal operating conditions out there at the close of the war. I think Colonel Greeley brought out yesterday the fact that during the war the cut has been no greater than the normal cut. It all depends on the part of the country. In the East, they have been cutting down little timber that never should have been cut at all; in the West there has been much less of that. There will be practically no elapsed time until we get back to normal in some places, and in other places, up to 25 or 50 years.

The CHAIRMAN. Right there, if we enact this legislation, would the Government have supervision over the marketing of Farmer Brown's timber? Would the Government step in and say, "You can only market certain trees here which are ripe and should be put on the market?" Will the Government tell him he hasn't the right to cut small timber?

Mr. GRANGER. If Farmer Brown happened to be the one with whom we made this cooperative agreement, that would be the case. We would expect him to cut his timber in what we regard to be the proper way, to leave the small trees and cut the big ones. But if Farmer Brown were the farmer you suggested who might ultimately sell his timber to the saw mill, this legislation would have no effect on how he cuts his timber, but through our extension border we would try to coax him to cut the right way and show him where he could make more money doing so.

Representative GRANGER. Does this legislation apply solely to timber reserves?

Mr. GRANGER. It applies solely to the timber, but it applies to publicly owned and privately owned timber.

Representative GRANGER. These contracts you are talking about only apply to timber, or might they apply to any private land other than forests?

Mr. GRANGER. No, it applies only to timber. It is a forest operation bill.

Representative GRANGER. But where it says here "to regulate the water supply, stream flow, prevention of soil erosion, and the preservation of wildlife," does that all have to do with forest lands?

Mr. GRANGER. Yes, those are some of the things which are affected by the methods employed in cutting timber. If the timber is cut off the land may wash away, and it may impair the habitat of wild life and what not, whereas if it was cut properly there would be benefits in protecting against soil erosion and preserving the habitat of

wildlife, and other things that are the benefits of the proper way of cutting timber.

Representative GRANGER. How do you define a forest up in the Mountain States? There you would have forests that do not have any timber, but in those regions there is wild game and there is also the possibility of soil erosion. That would come under this, would it not?

Mr. GRANGER. No, sir; that would not be affected at all. This merely applies to a situation where there is timber to be cut, and the idea is to combine the private-timber holding with the public-timber holding, under the first part of the bill, so that the two will be operated as one unit and both the private timber and the public timber would be cut in the same beneficial way.

Representative GRANGER. That is all, Mr. Chairman.

The CHAIRMAN. If there are no further questions, we thank you, Mr. Granger, for your statement.

STATEMENT OF FRED H. LANG, STATE FORESTER OF ARKANSAS, LITTLE ROCK, ARK., ON BEHALF OF THE NATIONAL ASSOCIATION OF STATE FORESTERS

Mr. LANG. Mr. Chairman and gentlemen of the committee, the National Association of State Foresters, the forest industries and the timberland owners of the South being vitally interested in the permanent establishment of sustained yield forestry within the United States, believe that favorable action on S. 250 will do much toward furthering the orderly development of our forest resources. The forestry committee of the council of State government are in accord with this recommendation.

To emphasize the importance of S. 250, I would like to point to one illustration from my own State of Arkansas, a company now keeping its own lands in continuous production, whose permanent existence depends upon assured availability of Federal stumpage. The company now owns in fee over 600,000 acres of forest land adjacent to and mingled with the Ouachita National Forest. On this land and two large saw mills the company pays a substantial tax to the State and Federal Governments. Furthermore, its present policy of purchasing second-growth lands where possible, indicates its desire to remain in the forest products business. However, under plans for permanent operation, an annual production of 60,000,000 board feet of lumber cannot be sustained from its own lands alone. This contention is based on the fact that the Ouachita National Forest consisting of 1,000,000 acres, I understand now has a peacetime production budget of approximately 25,000,000 board feet. This simply means that the company must look elsewhere for stumpage if they are to sustain permanent operation.

The company has for many years acquired national-forest stumpage through competitive bidding to piece out its production schedule. Too frequently it has had to bid against temporary operators whose overhead and operating expense is low and who, owning no lands of their own, have little communal or tax obligation. The resulting uncertainty of obtaining sufficient Federal stumpage at reasonable prices

puts the pressure on company-owned lands to meet production schedules which might result in overcutting.

The company, having the assurance of a continuing substantial and definite amount of national-forest stumpage, as provided for in this bill, with the sense of permanence it would give, would feel free to invest in the development of more complete utilization of the forest. This would permit the utilization of low-grade species, topwood, and so forth, in the manufacture of such wood flour and various forms of cellulose, and so forth.

The company cited is but one of 6 operating companies who now own their own forest lands and practice selective cutting thereon, who would benefit materially from a continuous and assured source of Federal stumpage. Three of the companies are already following out the principles of the bill by cooperatively managing farmers; and other landowners' timber for continuous production. This work is done in accordance with plans provided and prepared by technical foresters.

The passage of this bill will encourage all types of operators to retain their cut-over lands and acquire additional lands, thus enabling them to work out a cooperative sustained yield unit.

Favorable action on this bill is requested on the basis that it will; (1) Stabilize permanent forest industries, provide a continuous source of labor, build up permanent communities, and maintain a stable tax base; (2) assure a continuous and ample supply of forest products; (3) encourage the development of an investment in forest industries, designed to utilize more closely the products of the forest; (4) assist in the regulation of water supply and stream flow, help prevent soil erosion, and do much toward the amelioration of climate and the preservation of wild life.

Mr. ZIMMERMAN. Where is this mill you mention located?

Mr. LANG. The company I cited?

Mr. ZIMMERMAN. Yes.

Mr. LANG. It is located in Arkansas.

Mr. ZIMMERMAN. Near what place?

Mr. LANG. One mill north of Hot Springs, and one mill in southwest Arkansas. The mill at Hot Springs is within 6 miles of the national-forest boundary.

Mr. ZIMMERMAN. That is called the Ouachita National Forest?

Mr. LANG. Yes, sir.

Mr. ZIMMERMAN. And you have a million acres in that national forest?

Mr. LANG. Yes, sir; over a million acres.

Mr. POAGE. I want to ask you, not in criticism of the bill, but as to the effect it is going to have in the South. Arkansas is the only State that has any substantial national forests in the South, is it not? I know there are some in Tennessee, of course.

Mr. LANG. I don't think they are as large as the 2 in Arkansas, however.

Mr. POAGE. Arkansas is probably the only State that has any substantial national forests in the South, is it not?

Mr. LANG. Yes, sir; and one of the oldest.

Mr. POAGE. Because there was Federal land in Arkansas, and there wasn't any Government land in some of the older States, and none in Texas. Of course, we just started the only national forests we have.

They are something we started in the last few years. I am glad you have national forests, but this would not be effective in most of the Southern States, would it?

Mr. LANG. I think it would be effective in quite a few of the States where the timber the Federal Government has acquired is reaching maturity. It is a general rule that there are considerable acreages of private ownership adjacent to Federal forests.

Mr. POAGE. I know that is true, but where there are no Federal forests, this simply would be of no benefit to those areas.

Mr. LANG. No.

Mr. POAGE. That is no condemnation of the principle, of course, because it is effective where there are Federal forests, but it doesn't actually hold out any hope to east Texas, does it?

Mr. LANG. Well, possibly not immediately, but I would say that it would in the future. I, frankly, do not know the situation in Texas. I know the national forest there is very much smaller than in Arkansas.

Mr. ZIMMERMAN. The whole purpose of this bill is to use the federally owned tracts of land—in these Government forests we have set up, in connection with the local interests in the proper marketing of timber.

Mr. LANG. Yes, sir.

Mr. ZIMMERMAN. If you don't have any federally owned timber, why then there is no need of this act, because there is nothing to contract on.

Mr. POAGE. That is what I wanted to be sure about. I don't condemn the thing because it doesn't affect our section, but I don't want to try to tell my people at home it does affect them if it doesn't. That doesn't mean I have any objection to helping out the fellow it does help.

Mr. ZIMMERMAN. In the Ozarks we have large tracts of forests.

Mr. POAGE. Privately owned.

Mr. ZIMMERMAN. No, Government, too.

Mr. POAGE. I don't mean that personally I think the principle is not sound.

Mr. WICKERSHAM. I think what the gentleman pointed out, is that this program will be beneficial to Texas because it will protect the entire lumber industry and lumber supply of the whole United States, thus benefiting Texas indirectly. I originally came from Arkansas, and all through that country now, while maybe this bill is not effective now, it might help in protecting that lumber supply, because they are just cutting and slaughtering timber of all sizes all through the Ozarks, from Springdale, on east. And I am wondering if we are not being rather free with the Government timber even at this time.

Mr. LANG. I frankly don't think that. We have 11 operating companies in Arkansas that are practicing sustained yield, and on their own timberlands, which are nowhere near a national forest, and they are doing a good job. And in the northern hardwood regions there is considerable overcutting. But I can conceive that in a long period of time, when the forests build up, that an established community may be built and a small industry may be built by cooperating upon the private land in a certain area.

MR. WICKERSHAM. Can you give me any idea how much your Select No. 1 White Oak is bringing? What do the mills pay for that per thousand feet?

MR. LANG. I would hesitate to say. I haven't heard of any recent sales. The last one I heard of, a private sale, was something over \$27. That was on the stump. That was high grade, and it would probably bring considerably more than that at the present time. That was more than 8 months ago.

THE CHAIRMAN. Have the State foresters of the United States an organization?

MR. LANG. Yes, sir.

THE CHAIRMAN. Has this been taken up by that organization?

MR. LANG. Yes, sir.

THE CHAIRMAN. Has it the approval of the organization?

MR. LANG. Yes, sir.

THE CHAIRMAN. If there are no further questions, we thank you for your statement.

MR. LANG. I have a statement that I would like to submit for the record, showing the operating policy of six Arkansas companies.

THE CHAIRMAN. That may be done.

(The statement is as follows:)

Table¹ showing operating policy of 6 Arkansas companies adjacent to the national forest

Company	Land owned in fee acres	Production, M feet	Farmers forest land now managed by county	National forest timber cut
Dierks Lumber & Coal Co.	600,000	60,000	6,000	Yes.
Ozan Lumber Co.	80,000	30,000	15,000	Yes.
C. W. Lewis Lumber Co.	17,000	8,000	-----	Yes.
Green Lumber Co.	4,000	6,000	-----	Yes.
Burnet Wyss Lumber Co.	90,000	16,000	-----	Yes.
Hatton Lumber Co.	15,000	10,000	5,000	Yes.

¹ All of the above companies are now operating on a sound forestry basis.

STATEMENT OF COL. W. B. GREELEY, REPRESENTING THE WEST COAST LUMBERMEN'S ASSOCIATION, SEATTLE, WASH.

Colonel GREELEY. Mr. Chairman, I hope I don't wear out my welcome before this committee.

There are just one or two points I would like to add to what you have heard.

The first is that the principle behind this legislation, as Mr. Granger told you, has already been approved by the Congress, in the case of the administration of the Oregon and California revested lands in the State of Oregon, which is now under administration by the Department of the Interior.

MR. POAGE. What do you mean by that, revested lands? Lands taken from the railroads?

Colonel GREELEY. The former grants to the Oregon & California Railroad which was later revested in the United States by act of Congress and placed under a special form of administration. Mr. Muck of the Interior Department is here, and I hope that you will hear

him with reference to that, particularly because that is administered on the same principle in administering the public timber that is now proposed for general application to all public timberlands by this bill.

In the case of the O. & C. lands, as we call them, with which I am somewhat closely in contact, they are now developing approximately 20 sustained-yield units, each of which will contain an area of Government land and a substantial area of private land. Many of those are small units, units to maintain small operations on, for the benefit of small communities down in central Oregon. The operation of that act is already stabilizing the forest industry. It is tending to stabilize the pay rolls of the industrial establishments at these various Oregon communities, and it is also tending to keep the manufacture of the timber in the local hands, instead of letting it follow the drift toward the large manufacturing centers on the Columbia River to the north, and there a very evident effect of this type of administration in establishing the local communities built around forest manufacturing, and it is also tending to hold private lands in private ownership, and on the tax rolls, because this type of private ownership whereby the private owner can cooperate with the Federal Government in building up a permanent enterprise is just the antithesis of the other thing he might do and has done to a large extent in our territory—cutting his stumpage off and letting his land go to the county for tax delinquency.

When you get an operation working along permanent lines under this type of public administration you tend to keep all the forest lands in its present ownership and on the private tax rolls, and you just help stabilize the whole situation from every standpoint, which we feel is its greatest merit.

The effect of this bill would be to broaden the application of the same policy to other types of timberland in public ownership, the national forests, the Indian reserves, and other lands, and there are many other localities where the same type of stability would be of great advantage in the long run to the communities, to the labor identified with various industries, and to the permanency of the forest reserves.

In our judgment these advantages greatly offset whatever disadvantage may result from a departure from the principle of straight competition in the disposal of public property.

I know that that principle of straight competition has great weight with Congress, and very properly so, but under this proposed bill the application is so safeguarded by advertisement and by hearings, so safeguarded from abuse, and the departure from the competitive principle is applied only when the responsible Federal officer is satisfied that that is the constructive thing to do, everything considered, that I don't think we need to hesitate to approve the principle on that ground.

I would just like to add that this phase of public forest policy was recommended to Congress by your own joint congressional committee in 1941, and I think it has been recommended by every group or agency which has made a thorough study of the national-forest policy in the past 12 years.

I thank you.

The CHAIRMAN. We thank you for your statement.

STATEMENT OF HON. HARRIS ELLSWORTH, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF OREGON

Mr. ELLSWORTH. Mr. Chairman, I am particularly interested in this legislation, because the district I represent has approximately half of the Douglas fir timber left in the United States, in the Douglas fir operating area, and it is very important to all of my district that the very wisest and best legislation affecting the operation of the forest areas be passed.

This is a very simple bit of legislation, in that it merely enables the Forest Service to make a cooperative deal with private owners of timber which has been fully explained here, so that a sustained-yield unit may be established, so that our communities, and the communities wherever there are large forest areas will not become ghost towns when the timber is merely slaughtered off and the stump land is left.

So my interest is in seeing the communities protected, and I think and I believe it is generally agreed both in the lumber industry and by the people who understand these things out in that timbered area, that it is necessary that this type of cooperative sustained-yield development be made possible. It is already made possible, as explained by Mr. Greeley, under the Oregon and California Act, which has to do with the Oregon and California revested lands, and this would merely make it possible to operate the forest service lands in a similar way.

That is all the statement I have to make.

Mr. ZIMMERMAN. I just want to say that I had occasion to go over a part of the territory in your State, and I was fascinated at the beautiful timber in that section there.

Mr. ELLSWORTH. There is a vast amount of it there.

Mr. ZIMMERMAN. And I know this; we have made many mistakes in handling our timber, and it is high time we were doing something to protect this very vital resource of the Nation. For example, you spoke of ghost towns. Companies, before they learned that trees died when they got old, and their value for timber ceased to exist, did not market them, maybe, because they thought it would stand there forever, and they lost that timber, and then they came along and not only cut that timber, but cut the young growing timber, which should have been left to supply the Nation for years to come.

Mr. ELLSWORTH. I think that brings out an important point with reference to this very bill. The formation of sustained-yield units and cooperative agreements makes it possible to operate a tract of timber in the soundest way possible from sound forestry practices, whereas on the cut-and-run basis, without some method of cooperation of this kind, we find the private owner liquidating. I know of instances in my own region where very likely the Forest Service timber should come out first, rather than other timber which should be allowed to mature a little longer, unless the private owner had some type of arrangement where he was protected in the ultimate cutting of his own.

Mr. ZIMMERMAN. A fine thing about this is that it insures the establishment of a permanent mill that backs up a permanent community,

and obviates the ghost towns that you speak of, which we find all over our country.

MR. ELLSWORTH. That is correct. It has two other points; one, the orderly cutting of these resources, and also a definite check against overcutting. We find some of the areas in the western Douglas fir areas, where they are at the present time cutting four and five times their annual sustained yield capacity. In the area which I represent is the last remaining Douglas fir area to be operated. We are not cutting up to the sustained yield capacity in my district. If some kind of cooperative arrangement of this kind is not passed, or, in fact, if this bill is not passed, which I think is a carefully worked out plan, the net result will be that in periods of high market we will have overcutting and butchering and then in periods of low market we will have bankruptcy and dissolution.

I merely want to make those points.

THE CHAIRMAN. Thank you, Mr. Congressman, for your statement.

**STATEMENT OF LEE MUCK, ASSISTANT TO THE SECRETARY.
DEPARTMENT OF THE INTERIOR**

MR. MUCK. The Department of the Interior in its report to the Senate committee, strongly recommended the enactment of S. 250.

THE CHAIRMAN. Would you file the recommendation of the Department of the Interior?

MR. MUCK. I can file a copy of the report.

(The report is as follows:)

INTERIOR DEPARTMENT,

Washington, D. C., May 20, 1943.

HON. ELLISON D. SMITH,

Chairman, Committee on Agriculture and Forestry.

United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: Further reference is made to your request for a report on S. 250, entitled "A bill to promote sustained-yield forest management in order thereby (a) to stabilize communities, forest industries, employment, and taxable forest wealth; (b) to assure a continuous and ample supply of forest products; and (c) to secure the benefits of forests in regulation of water supply and stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife."

For the reasons stated in this letter I strongly recommend the enactment of S. 250, provided it is amended to reflect the changes incorporated in the suggested revision enclosed herewith.

Legislation which would establish sound and equitable procedures for the formulation and application of sustained-yield management plans along the lines contemplated by S. 250 is sorely needed. Under such legislation it should be made possible for federally owned or administered forest lands, together with private forest lands in the same general area, to be managed on a basis that would maintain the productive capacity of both the public and the private holdings involved, and that would provide an increased measure of economic stability for the communities dependent on such lands. To the extent permitted by existing laws the Department of the Interior has sought to administer the extensive forest resources under its jurisdiction in ways which would tend to bring about the accomplishment of these objectives, as well as of the other ends stated in the title of S. 250. Notable progress in this direction has been made through the establishment of sustained-yield management plans for the revested and re-conveyed forests of western Oregon under the progressive forest maintenance procedures for these lands authorized by the act of August 28, 1937 (50 Stat. 874). Numerous opportunities for the establishment of similar sustained-yield units having as one of their principal objectives the development and protection of stable forest-using communities exist in connection with Indian lands, the un-

reserved public domain, grazing lands, and other areas administered by this Department for purposes consistent with commercial disposition of the annual forest yield.

Full realization of desirable forest management objectives is, however, prevented by certain obstacles which can be removed only through legislative action. One of the most important is the fact that the laws applicable to forest lands under the jurisdiction of this Department limit the disposition of their products in ways such that the fullest beneficial utilization of the resources cannot always be obtained, as, for example, is the case under the laws which permit the sale of timber from the unreserved public domain only if such timber is either dead, down, damaged, or diseased. An obstacle of even greater moment is the fact that the commingling of public and private forest lands in many localities makes it impossible to achieve permanent economic stabilization for the area merely through the adoption of sustained-yield practices on the Federal lands involved, a situation which can be relieved only through the authorization of comprehensive practical procedures for the adoption of similar practices on the private and other non-Federal lands within the area.

Legislation designed to overcome these difficulties should, I believe, be founded on and give expression to the following basic principles:

(1) The interest of forest users in the continued existence of the forests upon which they are dependent for obtaining a livelihood should be recognized through the establishment of sustained-yield units designed to support a permanent local economy based on periodic timber cuts adjusted to the reproductive capacity of the unit;

(2) The development and application of an integrated sustained-yield management plan for each unit where private forest holdings are intermingled with federally owned or administered forest lands should be brought about through the making of cooperative agreements with the private landowners providing for the management of their properties, and the disposition of the forest products thereof, in accordance with the cutting rates and other procedures required by the terms of the plan;

(3) Cooperating private forest operators whose properties by reason of circumstances such as size or location cannot be operated economically on a sustained-yield basis independently of other sources of supply should be given assurance that they will be able to supplement the annual yields of their lands out of the yields from federally held properties within the unit;

(4) Purchasers of forest products in communities dependent upon the forest resources of the unit for raw materials necessary to sustain local industries and to prevent disruption of local fiscal, employment, and living conditions should be given assurance that they will be able to secure a continuous supply of these materials in preference to purchasers not so situated;

(5) In order to provide these assurances of stability the sale of forest products from federally owned or administered lands within the unit should be authorized on terms whereby cooperating private operators and purchasers in dependent communities may obtain these products at prices determined by a fair and open appraisal without competitive bidding;

(6) Prior to the establishment of any sustained-yield unit, the making of any cooperative agreement, or the consummation of any timber sale of consequence, all persons having a substantial interest therein should be accorded an opportunity to present at a public hearing any facts or considerations which may be relevant to the selection of the best method of bringing about the fullest beneficial use of the forest resources covered by such unit, agreement, or sale;

(7) Provision should be made for enforcing the terms of cooperative agreements against the parties thereto, and against purchasers of the land or forest products covered thereby, by means of suits for specific performance or other appropriate judicial remedies; and

(8) The authority to establish sustained-yield units should be vested in the Department of Agriculture and the Department of the Interior as the agencies of the Government principally concerned with forest administration, but other Federal, State, or local agencies having jurisdiction over forest lands should be at liberty to enter into cooperative sustained-yield management agreements with the departments mentioned, and permission should also be granted for the inclusion of Indian lands within sustained-yield plans subject to the consent of the Indians concerned.

All of the foregoing principles are either expressly or impliedly recognized by S. 250 in its present form or obviously intended to be applied in its admin-

istration, but the provisions of the bill do not prescribe in all particulars a complete, exact, and clear legislative framework for the effectuation of these principles. Accordingly, a suggested revision of the text of the bill has been prepared in the form of the draft accompanying this letter, and is submitted with the recommendation that it be substituted for the present text. This revision, while containing no provision not in accord with the spirit of S. 250 as introduced, embodies a number of very desirable perfecting amendments. The provisions set forth in the draft have been drawn up in collaboration with the Department of Agriculture, and that Department is understood to be in full agreement with this Department as to the need for, and content of, these changes.

Enactment of S. 250 as thus proposed to be revised would make possible the better utilization of forest resources owned or administered by the Federal Government; would tend to discourage destructive lumbering on privately held forest lands; would strengthen the economic structure of communities dependent upon forest resources; would tend to prevent the deterioration of the tax base attendant upon cut-out-and-get-out methods of lumbering; and would in all probability save many communities from the economic paralysis symbolized by the "ghost town" which has descended upon areas where the lumber industry was not operated on a sustained-yield basis.

The Bureau of the Budget has advised me that there is no objection to the presentation of this report to your committee.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

S. 250, a bill designed to promote sustained-yield forest management, has been strongly recommended for enactment by the Department of the Interior in its report of May 20, 1943, directed to the chairman of the Committee on Agriculture and Forestry of the United States Senate.

The bill seeks, through the application of the principles of sustained-yield management, to provide perpetual forests which will serve as a foundation for continuing industries and permanent communities. These principles have been given practical expression in the act of August 28, 1937, which measure laid the foundation and framework for a new forest policy for the revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands located in 18 counties in western Oregon.

The 1937 act provided that the timber on the Oregon grant lands should be sold, cut, and removed in conformity with the principles of sustained yield for the purpose of providing a permanent source of timber supply protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries. Section 2 of this law authorized the Secretary of the Interior to make cooperative agreements with other Federal or State forest administrative agencies or with private forest owners or operators for the coordinated administration with respect to time, rate, method of cutting, and sustained yield of forest units comprising parts of the Oregon grant lands, together with lands in private ownership or under the administration of other public agencies.

Under the provisions of the 1937 act, a measure similar to the one here under consideration, the Oregon grant lands are now fulfilling their logical function. The vast forest resources occurring on these lands are being regulated in a manner which will insure perpetual operations and support permanent communities. The lands are not only paying their way but, in addition, are providing substantial revenues to the counties and repaying the original investment and other costs incurred by the Government in reacquiring title to these

lands. The enterprise is outstanding from both a financial and technical forestry standpoint, and has provided a proving ground for the practice of cooperative sustained-yield forest management.

The enactment of S. 250 will operate to extend the principles of sustained-yield forest management to all forest regions of the United States where Federal forest lands are located. Such action will be a major forward step in the field of cooperative forest management, and wherever applied will make possible the development of our remaining forest resources under sound forest-conservation practices.

S. 250 is very much the same as this bill and will provide the same kind of authority. I think it should be made clear that all S. 250 does is to provide authority for the Government to proceed under the principles of sound management.

Mr. CLEVINGER. I would like to ask if there is any provision made in this legislation for a lumber company to dispose of tops that are ordinarily left on the ground.

Mr. MUCK. Tops left on the ground are unmerchantable. Of course, that is a case of economics. The Federal Government has for years been promoting close utilization of the forest, so far as that is possible. We have been advocating that for 30 years. It has brought some results in that stumps are cut much lower now and the tops are utilized closer.

Mr. CLEVINGER. They represent a dangerous fire hazard.

Mr. MUCK. The tops are not so much a hazard as are the limbs and slash.

Mr. CLEVINGER. That is what I mean.

Mr. MUCK. In most places on Government land, especially in the pine lands, the limbs are piled and burned in order to remove that hazard.

Mr. CLEVINGER. I know they are a bad hazard in my country.

Mr. MUCK. I was raised in Wisconsin and still do a lot of work there. Of course it is more difficult to handle slash there than in the pine areas; and in the fir region it is still more difficult. We have on the Menominee Indian Reservation in Wisconsin quite successfully carried on brush salvage operations, and in that way the largest part of the hazard was removed. It was not always economically sound, but it did remove the hazard.

Mr. CLEVINGER. Having spent the best years of my life in Wisconsin, I have seen a lot of that.

Mr. ZIMMERMAN. Do these timbers, these tops, find a use in pulpwood?

Mr. MUCK. Oh, yes; to some extent.

Mr. ZIMMERMAN. I wonder what effort has been made, following out there the suggestion of Mr. Clevenger—I wonder if timbers from the South, in view of the scarcity of pulpwood and the devastation of our pulp timbers, would not sustain pulp mills and maybe supply some of our great need for pulp.

Mr. MUCK. We have several pulp operations in progress on our lands. When it comes to utilizing the tops, they are not much good for pulp or for lumber because of the knots. However, the western hemlock is used as close as it can be under present economic conditions.

Mr. ZIMMERMAN. Well, I do know that there is always parts on the top that can be used, sawed out and used, free from knots, and I should think you could utilize them that way. And, as Mr. Clevenger has

suggested, it would remove the fire hazard and permit the growth of the timber as well, because these tree tops are very devastating to the growing trees.

Mr. MUCK. I can assure you, sir, that some of the pulp companies, especially those operating on Government lands have done a great deal of work along that line. In fact, one large company with which I have been acquainted in Washington, has for 15 years tried everything, even to chipping this material right in the woods. A rather substantial operation was set up. They found, however, that the splitting of the hemlock in the woods was not very economical and extremely difficult from a labor standpoint. It was later discontinued. But there has been a great deal of thinking along that line, and I am sure the past 20 years has seen very marked progress in the utilization of our western woods.

Mr. ZIMMERMAN. Let me ask you one more question. There was a tendency for many years in the West for private, small companies, to cease operating and the whole timber business was being centered and concentrated in a few firms, isn't that true?

Mr. MUCK. That was true, largely because of the nature of the land holdings. The large companies acquired the greater part of the timber land.

Mr. ZIMMERMAN. This will help to set up smaller units in communities and make them self-sustaining and have a tendency to decentralize the manufacture of lumber and wood products?

Mr. MUCK. I don't think that I would go quite that far, but I would say that it would make it possible, where there was a group of small timber holders, to get together on a cooperative plan.

Mr. ZIMMERMAN. That is what I have in mind.

Mr. MUCK. We had that very definitely in mind in connection with this bill. In fact, a similar problem has been met on Indian reservations, where the ownership is vested largely in the tribe, and where we have allotments the title to which is vested in individuals. We have had, for 30 years, to provide protection for these small holdings. It is done in two ways: One, by stipulating in the master agreement that the terms of any agreements entered into with the individuals shall be on terms just as good as those entered into with the Government; and, two, that any transportation facilities constructed on the area shall be made available for the transportation of timber cut from these small areas; in the event the small owner wishes to dispose of his timber himself.

Representative GRANGER. In the operation of your forest products, has there been any complaint on the part of anybody as to the monopolistic aspects of your operation there?

Mr. MUCK. I am glad you raised that question, because the Oregon and California project is a comparatively new one; it has been in operation only since 1938. I have been connected with it since that time, and I do not recall a single complaint coming in as to that question or any other phase of the operation. The operations on the Oregon and California lands are guided by a policy committee consisting of representatives of the counties, the State forester, industry, and the Department of the Interior. This cooperative approach has, I think, helped to guide policy very successfully.

The CHAIRMAN. If there are no further questions, we thank you very much for your statement.

STATEMENT OF P. H. BUTTRICK, REPRESENTING THE AMERICAN FORESTRY ASSOCIATION

Mr. BUTTRICK. Mr. Chairman, the directors of the American Forestry Association have studied this bill very carefully, and they are in favor of its passage. Their attitude was made public in an editorial in a recent issue of the magazine *American Forests*. This magazine is a publication of the association. I submit a copy for the record.

(The editorial in question follows:)

[Editorial from October 1943 issue of *American Forests*—the magazine of the American Forestry Association. This editorial is placed in the record of the hearings on S. 250 (H. R. 1621), 78th Cong., 1st sess., as evidence of endorsement by the association of the bill]

COOPERATIVE SUSTAINED YIELD

Few terms in forestry have been more loosely used and in many ways so little understood as "sustained yield." From the public point of view, its implied scientific complexities and its obvious suggestion of dependence upon certain specific laws of nature and economics have held little imaginative appeal. All too frequently it is looked upon as synonymous with the descriptive phrase "keeping forests continuously productive." And this is unfortunate. In implication and meaning the two are far apart. The sustained-yield concept lies at the very base of successful long-range management of both public and private forests.

Consequently, the imagination or even the interest of John Q. Public may well fail to be captured by the title of Senator Charles L. McNary's bill (S. 250) which passed the Senate on July 3—a bill to promote sustained yield forest management, etc. And this, too, is unfortunate. For just as forest historians have recorded the name of Senator McNary as joint author of the Clarke-McNary law, which implemented Federal and State cooperation in forest-fire protection, so will they recognize his sponsorship of S. 250, should it be enacted into law, as the beginning of another important and possibly more far-reaching field of cooperative endeavor in stabilizing forest production.

Perhaps this will be brought into sharper focus if the meaning of sustained yield can be restated in terms closer to everyday life—the equalizing of production and consumption. Foresters use the term "sustained yield" to describe a form of forest management under which the cutting of a forest is adjusted to its growth, so that approximately the same volume of wood may mature and be harvested yearly or periodically in perpetuity. In other words, growth and cut are in balance in a sustained-yield forest.

From a long-range view, growth and harvest in American forests must be balanced just as production and consumption must be equalized in any other industrial enterprise. Failure to do so works hardship on both the producer and consumer. Nevertheless, the attainment of sustained yield forestry is difficult both technically and economically, particularly on small holdings. Most of the forestry practiced by private owners is therefore on a discontinuous-yield basis. That is, yields come at irregular periods—usually spaced many years apart and in unequal amounts. To this type of forestry the phrase "keeping forests continuously productive" properly applies.

This is not said in criticism, as in many instances it is the only kind of forestry private owners or even public agencies can possibly practice. The unit of sustained yield must therefore frequently include many individual holdings. To rationalize forestry in the United States, sustained yield units must be organized which are sufficiently large to yield an even and perpetual supply of forest products to feed into the industrial machine. They must sustain local economies and be well distributed throughout all the great forest regions.

The objective of S. 250, as its title indicates, is to facilitate the building up of such units by providing a basis for cooperation between forest owners. As drawn, the bill can do so when there is a considerable area of federally owned land to serve as a nucleus. Around this nucleus, private holdings may be grouped under conditions permitting public timber to be fed into the local industrial machine in such a way that the continuity of operations will remain unbroken.

The basis of the scheme is that the private owners enter into long-term contracts with the Government, agreeing to harvest under Government regulation which will insure reproduction of the forest. On its part, the Government, knowing that individual operators do not have sufficient timber to keep their mills

operating perpetually, agrees to sell them enough publicly owned timber to do so. The whole plan is worked out so that a regular and perpetual supply of timber can be furnished from the sustained yield unit. No compulsion is put on forest owners to join the units, and the procedure of setting them up is democratic. Yet the interests of both the public and private owners are protected.

Carrying the endorsement of both the Secretary of Agriculture and the Secretary of the Interior, the bill provides means for both agencies to cooperate not only with private, but with State and local land-holding units; and where national forests and forest land under the jurisdiction of the Department of the Interior are intermingled, with each other. Should it become law, it is probable that the first units will be located in Oregon in connection with the Oregon and California crazy-quilt of patchwork ownership, involving Federal, State, county, and private lands.

Rationalizing the growing and harvesting of forest products on a high consumption level is an important task of American forestry and the American forest industries. Passage of the McNary bill, S. 250, will be a big step in this direction. Out of it may well come experience enabling the drafting of legislation, State, or Federal as the case may be, which will facilitate development of sustained yield units under conditions where public ownership is not dominant. It deserves full and active support.

STATEMENT OF CONGRESSMAN JOHN M. COFFEE, SIXTH CONGRESSIONAL DISTRICT, STATE OF WASHINGTON

Mr. Chairman and members of the committee, I appreciate very much this opportunity to appear before my colleagues in behalf of S. 250, now receiving your consideration. Many forestry experts have, or will appear before you to discuss the provisions of this bill. It is not my intention, therefore, to do more than say this measure has the backing of the lumbering and logging interests of my State as well as the endorsement of representatives of the men and women employed in the lumbering and logging industry. This measure will provide for the advancement of sustained-yield forest-management program with the resulting stabilization of the communities, forest industries, and employment dependent upon a proper conservation of our forest resources. Furthermore, I am convinced this measure will add greatly to the benefits we now receive from our forests in relation to water supply, prevention of soil erosion, and preservation of wildlife. In connection with the water supply, I am including herein, a telegram addressed to me by the commissioner of the department of public utilities of my home city of Tacoma, Wash., Robert O'Neil, which is self-explanatory:

TACOMA, WASH., *December 2, 1943.*

Hon. JOHN M. COFFEE,

Member of Congress,

House Office Building, Washington, D. C.:

Since discussing Senate bill 250 with you in Washington, our Mr. Kunigk has discussed its provisions with our legal counsel and local forestry department representatives. The result of their discussions indicates that the bill in its present form affords the necessary protections to Tacoma. Therefore, I urge you to support this bill in its present form.

R. D. O'NEIL,

Commissioner, Department of Public Utilities.

The watershed areas of the city of Tacoma and the city of Seattle, which is in the adjoining congressional district, are located in part within the area embraced by the Snoqualmie National Forest. The handling and regulation of logging on the privately-owned tracts within the Snoqualmie National Forest boundaries, as well as the con-

trols exercised over the small farm plots, and so forth, within the national-forest boundary present a difficult problem, the solution of which will be materially aided by the passage of this legislation. Many of the worries which now beset municipalities, whose watersheds are dependent upon more detailed management of the national forest areas, which include all or part of their watersheds, will be relieved by the passage of the instant bill.

I hope the committee will see its way clear to report S. 250 with a "do pass" recommendation. Mr. Chairman, I wish to thank you and the members of the committee for your courteous attention.

RECOMMENDATION UPON S. 45, INCREASED AUTHORIZATION FOR PROTECTION OF FORESTS AND WATERSHEDS, ADOPTED BY THE BOARD OF DIRECTORS OF THE LOS ANGELES CHAMBER OF COMMERCE, NOVEMBER 5, 1943

NATURE OF PROPOSAL

The bill provides for an increase in the amount of authorization for cooperation in forest-fire protection with the States from \$2,500,000 to \$9,000,000. It has passed the Senate and is now before the Committee on Agriculture of the House.

COMMENT

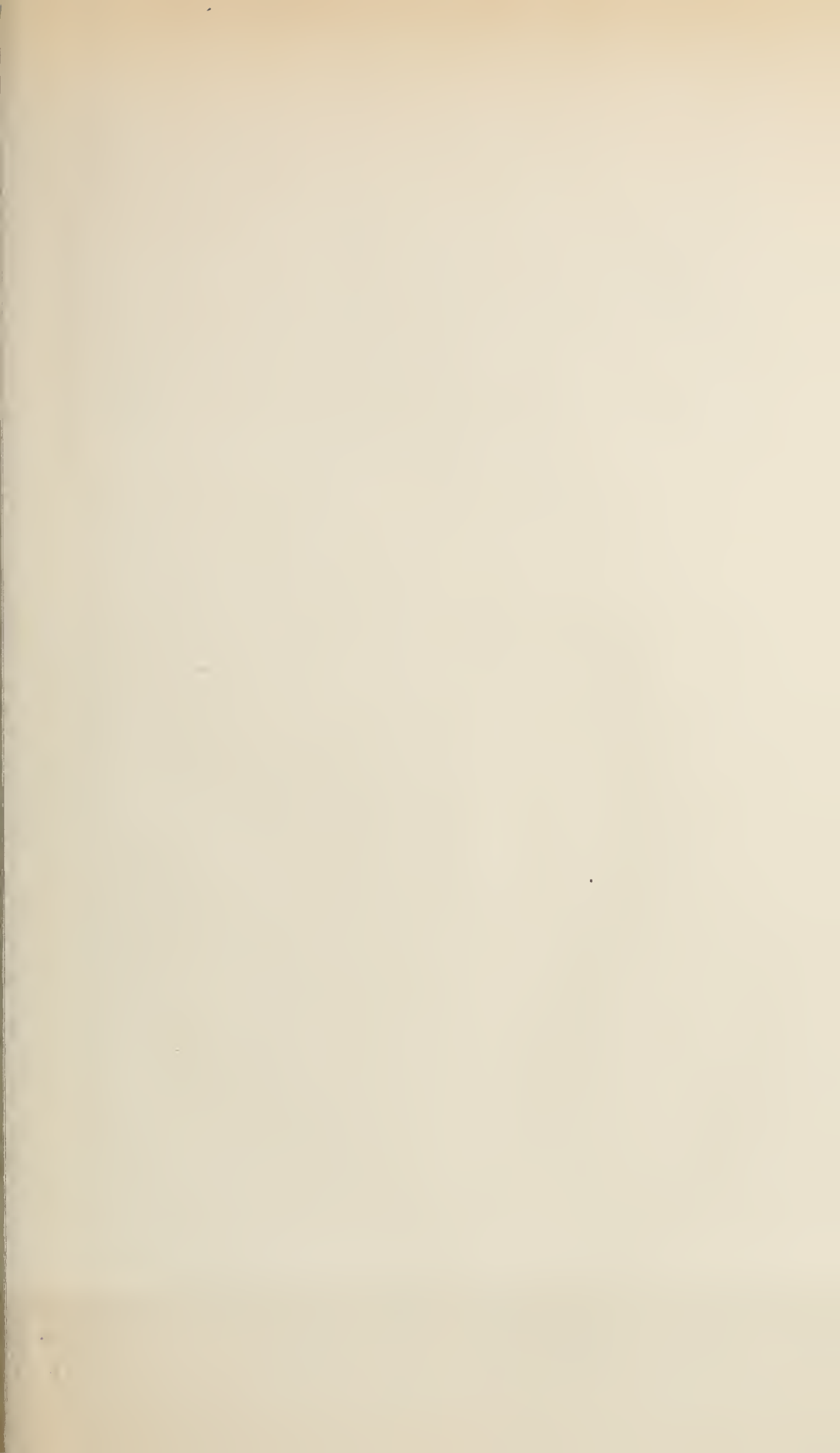
The measure would amend the Clarke-McNary law of 1924, the enactment of which was a recognition of the interest of the public in the protection of the forest lands of the Nation. Its object was to provide an incentive to the States and timberland owners for the protection from fire of the timber resources of the several States. The results accomplished by the Clarke-McNary law have been outstanding. The area of forest lands given protection has grown from year to year until it approaches 225,000,000 acres. Expenditures by the States now greatly exceed those of the Federal Government. Since the act, however, requires at least a 50-50 cooperation on the part of the States, many of those less strongly financed, particularly in the South, where protection is most urgently needed, have not found it possible to furnish this protection in adequate measure. The cost of adequate protection from fire of the Nation's timber and watershed areas, as a whole, has been placed at approximately \$19,000,000. The proposed legislation would authorize appropriations on the part of Congress for about 50 percent of this cost.

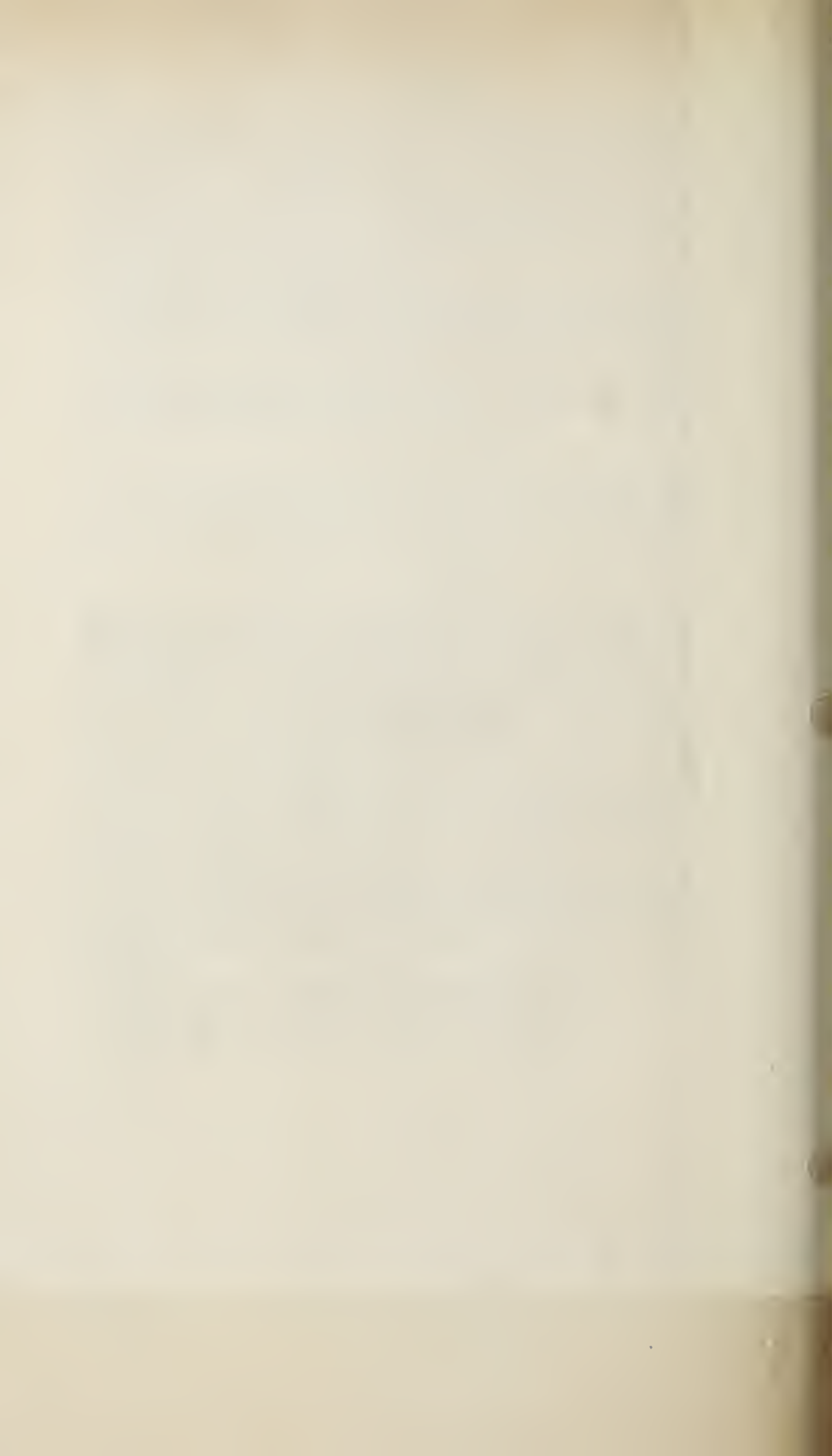
The interest of the public is apparent. Aside from its concern that there be a cheap and perpetual timber supply, recreational facilities, and protection to wildlife, the public has a stake in watershed protection through forest conservation which is possibly of even greater value than the production of wood and wood products.

The CHAIRMAN. I think that completes the list of witnesses, and we thank you for your appearance, gentlemen.

(Whereupon at 11:30 a. m. the hearing was concluded.)

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House. In CONGRESSIONAL RECORD 21, part 3, Fifty-first Congress, first session, March 7 to April 4, 1890, at page 2556, recording the debates during the passage of the Sherman Act on March 24, 1890, we find the following statements made by Senator Turpie, a Democrat of Indiana:

I apprehend there are very few of us of this generation who have the slightest conception what this domain, referring to the commerce clause, very extensive in its character, shall yet include or embrace. Congress has seen fit heretofore to enter this domain very partially, only upon one or two or at the most three times, and then to go no very great distance. The progress made in it has been always, and must be, dual. The jurisdiction conferred on the United States courts, arising under the Constitution and laws of the United States, is not self-operative. It always requires the act of Congress in the first place and the judgment of the court in the second place to make any progress at all in that domain. Congress must take the initiative. We must take action upon the subject matter, and if our own jurisdiction in respect to such subject matter is sustained by the courts the judicial jurisdiction in the courts is then sustained in respect to such subject matter and the methods by which it is to be adjudicated.

The Senator from Missouri [Mr. Vest] spoke the other day about the difficulty of defining the word "commerce," especially as contained in the phrase "interstate commerce." I recollect one judicial decision upon this subject very definitely. The Supreme Court has decided that insurance is not commerce, and I suppose by following the circle of negations long enough and excluding all the things not commerce we should come at last to the residuum, which must be commerce or interstate commerce, because it can be nothing else. A fortiori, judging from this principle, I should myself have decided that transportation is not commerce or interstate commerce either. It cannot be. It is only a means of conducting commerce, notwithstanding the courts and Congress have decided and have judicially determined that transportation is a matter so nearly related to interstate commerce that both Congress and the Federal courts have jurisdiction in relation to it under the clause giving us the power to regulate interstate commerce.

On page 2557:

I feel inclined to make the prediction, as one of the things to come in this vast domain, scarcely touched, of cases arising under the Constitution and laws of Congress, that the whole mass of merchantable paper known as negotiable by the law merchant, made at one place, negotiable at another, payable at another, transcending in its negotiation State lines, will be remitted to congressional action, and with respect to its creation, its formation, its negotiation, with respect to all the rights and liabilities which may arise under it, the people stunned with the eternal dissonance of conflicting decisions and judgments of 48 or 50 tribunals of last resort in the States upon the subject of interstate negotiable paper will require Congress to act therein, and that, unconstitutional as I now deem it or think it, it will as a matter of necessity be done, and in any such legislation with respect to that paper, the whole bulk of it, the personal and peculiar conditions of litigants will not be inquired about, but simply whether the one party or the other is entitled to relief or liable to recovery against him by reason of being a party to interstate commercial paper, negotiable and payable and usable under the action of Congress which may finally take place upon that subject.

From these statements I conclude that there is grave doubt as to whether Senator Turpie accepted the opinion of Paul against Virginia as good law. I think he did not, if we read everything that he said, and I think that the Members should know all that Senator Turpie said on the commerce clause before forming their own conclusions as to the congressional intent. Certainly the Members of the House should have more than appears in the hearings and the report before they accept the conclusions presented to them by the House Judiciary Committee from the meager disclosure of Senator Turpie's actual remarks set out in the hearings and the committee report.

Furthermore, I do not believe that Senator Turpie thought that insurance was not commerce because we find in reading what he said at page 2557 of the CONGRESSIONAL RECORD that he reached the conclusion that engaging in the banking business was commerce—and there is certainly a close parallel between the way in which insurance business is conducted and the banking business is conducted—and was such a firm believer in a broad understanding of the nature of the term "commerce" that he anticipated by some 50 years the opinion of the Ninth Circuit Court of Appeals in the case of *National Labor Relations Board v. Bank of America* (130 Fed. (2d) 624), certiorari denied April 19, 1943, 318 United States 791, petition for rehearing denied May 24, 1934, 63 S. C. 1171, which upheld the very proposition Senator Turpie made in the Senate in 1890.

From the statement made by Senator Turpie over 50 years ago by which he concluded, from the primary facts inherent in the conduct of the banking business that, as an ultimate fact, that business was commerce within the meaning of the commerce clause of the Constitution, it is proper to conclude that his thinking was quite similar to that of the present justices of the Supreme Court, as evidenced by the decisions which they are presently rendering for that Court. From this I conclude that if Senator Turpie were living today and were, at present, a justice of the Supreme Court of the United States, instead of revering him with crocodile tears and calling upon his name in vain, the insurance companies, whose interests are involved in this proposed legislation, would still be asking that this same legislation be adopted, on the clearly implied grounds that they did not like Senator Turpie's ideas with reference to the commerce clause of the Constitution of the United States. I think Senator Turpie is an authority for the opponents of this legislation, not its proponents.

And, I am not afraid to have my analysis of this matter judged by people who will undertake the arduous process of thinking with their brains rather than the currently prevalent easy process of forming emotional decisions which seem to originate in their bellies, or wherever the source of emotional decisions of humans is located. These are truly times when those who hold responsible positions in the people's gov-

ernment should think with their heads and not with their bellies.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1544. An act authorizing the acquisition and conversion or construction of certain auxiliary vessels, landing craft, and district craft for the United States Navy, and for other purposes; and

S. 1576. An act to provide for the extension of certain oil and gas leases.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee did on this day deliver to the White House for forwarding to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 255. An act for the relief of Col. E. H. Tarbuton;

H. R. 302. An act for the relief of Robert Griffin;

H. R. 977. An act for the relief of Clare A. Miller;

H. R. 1379. An act for the relief of Gerald Estell Proctor;

H. R. 1640. An act for the relief of Mrs. J. D. Price;

H. R. 1933. An act for the relief of Ronald A. Cox;

H. R. 2080. An act to provide temporary additional pay for equipment maintenance for each carrier in Rural Mail Delivery Service;

H. R. 2545. An act for the relief of Samuel J. D. Marshall;

H. R. 2641. An act to authorize the acquisition by exchange of certain lands for addition to the Sequoia National Park;

H. R. 3039. An act for the relief of Mrs. C. W. Selby;

H. R. 3299. An act for the relief of Victor H. Loftus, disbursing clerk, American Embassy, Mexico, D. F., Mexico; and

H. J. Res. 186. Joint resolution to provide for the proper observance of the one hundred and fifty-second anniversary of the adoption of the first 10 amendments to the Constitution, known as the Bill of Rights.

COMMITTEE FOR FAIR EMPLOYMENT PRACTICES AND SOLDIERS' VOTE

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, despite the lateness of the hour and the sparseness of attendance this afternoon, I am compelled to take the floor to make certain that the RECORD will not be in a state whereby the remarks of the gentleman from Mississippi [Mr. RANKIN] will remain unchallenged.

In a speech on what purports to be a speech on the Bill of Rights, the gentleman from Mississippi [Mr. RANKIN] saw fit to make an attack on the President's Committee for Fair Employment Practices, and also to state his viewpoint with regard to the soldiers' vote bill. Throughout the gentleman's speech, the gentleman rested his attack on the Committee for Fair Employment Practices, as well as his attack on the attempt to enfranchise men in American uniform, on

what he deemed to be the philosophy of Thomas Jefferson.

I think it is only fair—

Mr. RANKIN. Mr. Speaker, I demand that those words be taken down, because I made no such intimation that I was for disfranchising soldiers in uniform and the gentleman knows it.

Mr. MARCANTONIO. Mr. Speaker, I will stand by those words.

Mr. RANKIN. It is false and I am going to demand that those words be taken down.

The SPEAKER pro tempore. The gentleman from Mississippi will indicate the words objected to.

Mr. RANKIN. Where the gentleman from New York said that I favored disfranchising the men in uniform he not only made a false statement but he made a slanderous statement. I made no such intimation. I am doing everything I can to make it possible for them to vote.

Mr. MARCANTONIO. Mr. Speaker, a point of order. The gentleman's request was that my words be taken down. He should indicate the words he wants taken down. The statement I made is in writing and I will stand by it.

The SPEAKER pro tempore. Does the gentleman from Mississippi insist on his point of order?

Mr. RANKIN. Yes; Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the words objected to. (The SPEAKER resumed the chair.)

The SPEAKER. The Clerk will read the language objected to.

The Clerk read as follows:

The gentleman from Mississippi saw fit to make an attack on the President's Committee for Fair Employment Practices and also to state his viewpoint with regard to the soldiers' vote bill. Throughout the gentleman's speech the gentleman rests his attack on the Committee for Fair Employment Practices as well as his attack on the attempt to enfranchise the men in American uniform on what he deemed to be the philosophy of Thomas Jefferson.

Mr. RANKIN. Mr. Speaker, those are the words I object to. He falsely accused me there of attempting to disfranchise the men in uniform. That is a violation of the rules of the House.

Mr. MARCANTONIO. A point of order, Mr. Speaker. The words speak for themselves as to whether or not they are unparliamentary.

The SPEAKER. The Chair read the statement and then listened to its reading and the Chair can hardly think that the language of the gentleman from New York was more than expressing his opinion of the attitude of the gentleman from Mississippi. The Chair very seriously doubts that it is a violation of the rules of the House or a direct charge impugning the gentleman's motives or impugning his character.

Mr. RANKIN. Mr. Speaker, I should like to discuss this proposition, but there are very few Members here and I do not propose for that language to stand unchallenged. I therefore make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman withhold his point of order for me to pay a tribute?

The SPEAKER. No; the Chair cannot recognize the gentlewoman when a point of no quorum is made. The Chair has counted. No quorum is present. There is nothing to do except to call the House or adjourn.

ADJOURNMENT

Mr. ROWAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly at 4 o'clock and 54 minutes p. m. the House, pursuant to its previous order, adjourned until tomorrow, Thursday, December 16, 1943, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

(Thursday, December 16, 1943)

There will be a meeting of the Committee on the Public Lands on Thursday, December 16, 1943, at 10 a. m., to consider H. R. 1288. Hon. Myers Cooper, former Governor of Ohio and president of the National Council of Real Estate Taxpayers, will be a witness.

(Friday, December 17, 1943)

There will be a meeting of the Committee on the Public Lands on Friday, December 17, 1943, at 10 a. m., to consider H. R. 2241, a bill to abolish the Jackson Hole National Monument, Wyo.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 38. Resolution providing for the consideration of H. R. 2801, a bill to provide for the appointment of an additional Assistant Secretary of the Interior; without amendment (Rept. No. 955). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 376. Resolution providing for the consideration of H. R. 2350, a bill to liberalize the service pension laws relating to veterans of the War with Spain, the Philippine Insurrection, and the China Relief Expedition, and their dependents; without amendment (Rept. No. 956). Referred to the House Calendar.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 957. Report on the disposition of certain papers from several agencies of the Federal Government. Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. S. 184. An act to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908-9; with amendment (Rept. No. 958). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BARDEN:

H. R. 3846. A bill to provide for the education and training of members of the armed forces and the merchant marine after their separation from service, and for other purposes; to the Committee on Education.

By Mr. SUMNERS of Texas:

H. R. 3847. A bill to exempt certain officers and employees of the Office of Price Administration from certain provisions of the Criminal Code and Revised Statutes; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. R. 3848. A bill to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources; to the Committee on Agriculture.

By Mr. BROOKS:

H. R. 3849. A bill to provide mustering-out pay or credit for the purpose of reestablishment in civilian employment those persons who served in the armed forces of the United States during the present war, and for other purposes; to the Committee on Military Affairs.

By Mr. OUTLAND:

H. R. 3850. A bill to provide for the education and training of members of the armed forces and the merchant marine after their discharge or conclusion of service, and for other purposes; to the Committee on Education.

By Mr. MONRONEY:

H. R. 3851. A bill ceding and reserving to the State of Oklahoma jurisdiction to serve civil or criminal process, and to tax railroad companies and other corporations, and their franchises and property on military and naval reservations and other Federal areas within the State of Oklahoma; to the Committee on Military Affairs.

By Mr. LUDLOW:

H. Con. Res. 63. Concurrent resolution to grant furloughs under certain conditions to men in the armed services; to the Committee on Military Affairs.

By Mr. LYNCH:

H. Res. 382. Resolution to investigate the fire insurance and allied lines of business; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HARLESS of Arizona:

H. R. 3852. A bill for the relief of the O. S. Stapley Co.; to the Committee on Claims.

By Mr. MORRISON of Louisiana:

H. R. 3853. A bill for the relief of Mrs. Leroy A. Robbins; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4076. By Mr. COCHRAN: Petition of Paul F. Regnier and 30 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

4077. Also, petition of Paul F. Regnier and 30 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

78TH CONGRESS
1ST SESSION

H. R. 3848

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 1943

MR. RANDOLPH introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend section 9 of the Act of May 22, 1928, authorizing and directing a national survey of forest resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That to enable the Secretary of Agriculture to complete
4 and keep current for the United States the forest survey
5 authorized and directed by section 9 of the Act of May 22,
6 1928 (45 Stat. 699, 702; 16 U. S. C. 581h), said section
7 is hereby amended to read as follows:

8 “That the Secretary of Agriculture is hereby authorized
9 and directed, under such plans as he may determine to be
10 fair and equitable, to cooperate with appropriate officials
11 of each State of the United States, and either through them

1 or directly with private and other agencies, in making and
2 keeping current a comprehensive survey of the present and
3 prospective requirements for timber and other forest prod-
4 ucts in the United States, and of timber supplies, including
5 a determination of the present and potential productivity
6 of forest land therein, and of such other facts as may be
7 necessary in the determination of ways and means to balance
8 the timber budget of the United States. There is hereby
9 authorized to be appropriated, out of any money in the
10 Treasury not otherwise appropriated, not to exceed \$750,000
11 annually to complete the initial survey authorized by this
12 section: *Provided*, That the total appropriation of Federal
13 funds under this section to complete the initial survey shall
14 not exceed \$6,500,000. There is additionally authorized
15 to be appropriated not to exceed \$250,000 annually to
16 keep the survey current."

78TH CONGRESS
1ST SESSION

H. R. 3848

A BILL

To amend section 9 of the Act of May 22, 1928,
authorizing and directing a national survey
of forest resources.

By Mr. RANDOLPH

DECEMBER 15, 1943

Referred to the Committee on Agriculture

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. MARCANTONIO. Members of this House rend the air and beat their breasts, said it was an unconstitutional measure, that it violated State rights. It became law, however, and nobody has ever challenged its constitutionality.

Sections 2 and 4 of article I, and the fifth section of the fourteenth amendment of the Constitution of the United States gives Congress definite power to regulate the time, place, and manner of elections of Members of the House, the Senate, Presidential and Vice Presidential electors, as well as power to enforce by appropriate legislation the provisions of the fourteenth amendment. Further than that, I believe the gentleman will concede that the elder statesman from Virginia, Senator CARTER GLASS, is a greater defender of State rights than the gentleman from Maine. When Senator CARTER GLASS sustains this proposal, then I am pretty safe in saying that the constitutional argument is being used, in my opinion, to evade the responsibility that we owe to the American soldier.

Mr. GWYNNE. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 1 additional minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GWYNNE. Mr. Speaker, I am inclined to agree with the gentleman so far as the constitutional question is involved. It has always seemed to me that the Federal Government under the Constitution has the authority to regulate the election of its own officials. If this be not so we can hardly claim to be a sovereign Government; but is not this true: That if the Federal Government alone acts in the matter then these soldiers would not have the right to vote for State and county officials?

Mr. MARCANTONIO. The Green-Lucas bill, the gentleman will remember, under title 2, specifically makes provision for facilitating the transmission of State ballots for State offices on the part of the States.

Mr. GWYNNE. What I am getting at is that unless the States do act to change their laws the soldiers will not have the privilege of voting for State offices.

Mr. MARCANTONIO. That may be, but unless we adopt the Green-Lucas-Worley proposal every soldier will be denied the right to vote for their Congressmen, their Senators, and their President. Certainly, the gentleman must agree that we must give them, at least this right.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

THE INSURANCE BUSINESS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Iowa [Mr. GWYNNE] is recognized for 15 minutes.

Mr. GWYNNE. Mr. Speaker, there is a school of thought in America that believes insurance should be controlled by the Federal Government. In fact, that very question will soon be before us for decision.

Of course, the proponents of Federal control will carefully camouflage it. They will tell us that they are seeking cheaper protection or that they are only fighting monopoly.

I have no brief for the insurance companies. If abuses exist in their management, they should be corrected. Neither monopoly nor overcharging should be allowed. But before we embark upon the course of Federal regulation we should carefully consider two questions. First, is it safe to add to our gigantic Federal bureaucracy at this time? Second, are the States able to furnish adequate regulation and control of insurance companies operating within their borders?

Hardly a day passes in the House that some Member does not point out the disadvantages and dangers of bureaucratic government. Within the last 25 years the building up of great bureaus in Washington has completely revolutionized our mode of living. Our representative type of government with its carefully coordinated three branches has almost ceased to exist. Of course, Congress still passes laws. But only in the technical sense can it be said that Congress governs the country. The real guiding, or rather misleading, hand is to be found in the labyrinth of Federal bureaus which now reach into almost every activity of our daily lives. The passage of almost every law is followed by the issuance of volumes of complicated rules and regulations. These rules and regulations are made by persons who have never been elected by the people and are often in direct opposition to the intent of Congress as expressed in the law. Neither Congress nor the people have adequate control over these agencies. For the most part the courts are also powerless. In many instances the Congress very unwisely has taken away the right of the citizen to appeal to the courts established by the Constitution for his protection. Thus the plain intent of the Constitution and of the common law as developed after years of struggle, are set at naught.

Not only has the power of legislation been turned over to the executive branch but also the power of judging as well. In recent years many quasi-judicial tribunals have been set up which have the powers of trial and decision, but apparently are not governed by constitutional and traditional safeguards which surround regularly established courts. Far more controversies are now being settled in these tribunals than in the courts.

I am sure it is not necessary to make an extended comment on this evil and dangerous situation. The growth of centralized and unregulated bureaus in the hands of the Federal Government is

a real danger to human liberty. It must be fought just as vigorously as we are now fighting our enemies on foreign battlefields.

I do not blame any particular group nor any particular party for this condition. A combination of reasons has brought it upon us. I am, however, certain of one thing. The one body that can destroy bureaucracy and restore representative government is the Congress. Most of these bureaus exist because we created them or else appropriated funds for them after they had been created by Executive order. Certainly before we add another gigantic bureau we should make a careful survey to see if there is any real need for it.

Insurance is a far-flung business involving billions of dollars and millions of people. Should the Federal Government undertake to regulate it, think of the tremendous bureau that would be necessary. It will render insignificant all bureaucratic control as we now know it. The plain duty of this Congress is not to add more bureaus but to eliminate many we now have. No more centralization of power in Washington. Congress must hold that line.

Under existing decisions of the Supreme Court of the United States, the legal right of the States to completely regulate insurance has long been settled. This was well expressed by Mr. Justice Frankfurter in *Osborn v. Ozlin* (310 U. S. 53 (1940)), as follows:

The ways of safeguarding against the untoward manifestations of nature and other vicissitudes of life have long been withdrawn from the benefits and caprices of free competition. The State may fix insurance rates (*German Alliance Insurance Co. v. Lewis*, 233 U. S. 389); it may regulate the compensation of agents (*O'Gorman & Young v. Hartford Fire Insurance Co.*, 232 U. S. 251); it may curtail drastically the area of free contract (*National Insurance Co. v. Wanberg*, 260 U. S. 71).

In reviewing the history of State regulation in the case of *German Alliance Insurance Co. v. Kansas* (233 U. S. 389 (1914)) the Court has the following to say:

We need only say that there was quite early State provisions for what is known as the unearned premium fund or reserve. Then came the limitation of dividends, the publishing of accounts, valued policies, standards of policies, prescribing investments, requiring deposits in money or bonds, confining the business to corporations, preventing discrimination in rates, limitation of risks, and other regulations equally restrictive.

The Court specifically held in this case that the business of insurance is so closely connected with the public interest as to justify legislative regulation of rates by the States.

The Attorney General of the United States apparently takes the view that the laws regulating insurance in many States are inadequate. After all, we wonder what business that is of the Attorney General. The people through their State legislatures have a right to say what regulation they wish for insurance in their particular jurisdiction. Before we jump to any hasty conclusion that State control has not been successful, it might be well to look to the record of insurance throughout the country.

The subject of insurance is one which touches the lives of practically every American family. It constitutes the principal estate of a great percentage of those who die. It is a valuable feature of any estate. Upon the death of the former owner many assets shrink drastically in value. A policy of life insurance is paid in full and without delay. Because of its protection to dependents and because of its encouragement to thrift and saving, the buying of insurance, particularly by young people, has been universally encouraged. I have known people to regret the buying of almost every kind of property except insurance. The usual regret of people approaching old age is that they did not buy more insurance when they were young. And yet strangely enough very few people hunt up an insurance agent and insist that he sell them a policy. Most of the insurance policies now in force and protecting the future widows and orphans owe their existence to the energy and salesmanship of a life-insurance agent. Many of the people who have insurance know very little about the higher officers of the company. They do, however, know their local agent. He is their friend. He advises them about their program. He helps them to get a loan to tide them over in bad times. In other words, a life insurance company is a service organization which through the local agent is able to keep in close contact with its many patrons.

A few statistics will illustrate the importance of insurance to the American people. In 1942, 303 life insurance companies collected in premiums \$4,181,415,000, and their combined assets were \$34,931,411,000. The amount of insurance in force was \$130,332,848,000. If we include 54 life insurance associations and 205 life insurance fraternal, the final figures are: Total premiums collected, \$4,317,102,000; total assets, \$36,275,927,000; and insurance in force, \$138,987,149,000. In 1941, 370 stock, fire, marine, and auto fire insurance companies collected in premiums \$1,075,617,000, and held assets of \$2,686,741,000. If we include mutual companies and various other organizations engaged in insurance we find 589 companies with combined assets of \$3,131,557,000 and collecting annual premiums of \$1,309,680,000. There are at least 64,000,000 life insurance policyholders in America, and the amount of insurance in effect is equal to \$900 life-insurance protection per capita for the Nation's population. Sixty percent of the life insurance in the world is in America.

In view of the remarkable record made by insurance companies under State regulation, we should be very careful about scrapping the present system and substituting for it control by a great Federal bureaucracy.

(Mr. GWYNNE asked and was given permission to revise and extend his own remarks.)

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. RABAUT] may be permitted to extend the remarks he

made today and to include therein excerpts from hearings and a report.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HESS, for 4 days, on account of illness.

To Mr. LARCADE, for 1 week, on account of official business in attending a flood-control meeting in New Orleans, La.

To Mr. WRIGHT (at the request of Mr. GIBSON), for all of the week beginning December 14, on account of illness.

ADJOURNMENT

Mr. ROWAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 37 minutes p. m.) the House adjourned until tomorrow, Saturday, December 18, 1943, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

971. A letter from the Administrator, Federal Security Agency, transmitting the First Quarterly Report of the United States Commissioner of Education on the Education and Training of Defense Workers, covering the period beginning July 1, 1943, and ending September 30, 1943; to the Committee on Appropriations.

972. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

973. A letter from the Postmaster General, transmitting a draft of a proposed bill to amend section 214 of the act of February 28, 1925; to the Committee on the Post Office and Post Roads.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COCHRAN: Committee on Accounts. House Resolution 385. Resolution providing for the employment of six expert transcribers for committee stenographers and three additional laborers by Doorkeeper of House; without amendment (Rept. No. 963). Referred to the House Calendar.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 964. Report on the disposal of certain papers from several agencies of the Federal Government. Ordered to be printed.

Mr. CANNON of Missouri: Committee on Appropriations. House Joint Resolution 208. Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944; without amendment (Rept. No. 965). Referred to the Committee of the Whole House on the state of the Union.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 3848. A bill to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources; without amendment (Rept. No. 966). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 3862. A bill to amend section 8 of the act of May 29, 1930, as amended; to the Committee on the Civil Service.

By Mr. CLASON:

H. R. 3863. A bill to provide for the suspension of selective-service inductions for 6 months, to direct the classification of all men liable for training and service under the Selective Training and Service Act of 1940, between 18 and 38, as civilian selectees, and to provide for the basic military or naval training of such men in their home communities; to the Committee on Military Affairs.

By Mr. DIMOND:

H. R. 3864. A bill to repeal section 2 of the act entitled "An act for the preservation of American antiquities"; to the Committee on the Public Lands.

By Mr. MURDOCK:

H. R. 3865. A bill to reserve certain public-domain lands in the State of Arizona for addition to the Havasupai Indian Reservation, and for other purposes; to the Committee on Indian Affairs.

By Mr. O'CONNOR:

H. R. 3866. A bill to reserve certain land on the public domain in Utah for addition to the Goshute Indian Reservation; to the Committee on Indian Affairs.

H. R. 3867. A bill to authorize the Secretary of the Interior to dispose of certain lands heretofore acquired for the nonreservation Indian boarding school known as Sherman Institute, Riverdale, Calif.; to the Committee on Indian Affairs.

H. R. 3868. A bill to provide for the disposition of tribal funds of the Blackfeet Tribe of Indians; to the Committee on Indian Affairs.

H. R. 3869. A bill to amend section 1, act of June 29, 1940 (54 Stat. 703), for the acquisition of Indian lands for the Grand Coulee Dam and Reservoir, and for other purposes; to the Committee on Indian Affairs.

By Mr. KERR:

H. Res. 386. Resolution authorizing the employment of counsel to represent Congress in certain litigation brought by Goodwin B. Watson, William E. Dodd, Jr., and Robert Morris Lovett; to the Committee on Accounts.

H. Res. 387. Resolution providing for the expenses incurred in connection with House Resolution 386 and of further proceedings under House Resolution 105; to the Committee on Accounts.

By Mr. CAPOZZOLI:

H. Res. 388. Resolution creating a select committee to investigate railroad crashes and other accidents in the United States in 1942 and 1943; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Chamber of Deputies of the Dominican Republic, memorializing the President and the Congress of the United States on the first anniversary of the treacherous Japanese attack on Pearl Harbor; to the Committee on Foreign Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4144. By Mr. ELSTON of Ohio: Petitions of William Robison Cafe, Greenville; Smoler's Tavern, Columbus; Mahoning Wine Shoppe, Youngstown; Leo L. Mattingly, Zanesville;

NATIONAL SURVEY OF FOREST RESOURCES

DECEMBER 17, 1943.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. FLANNAGAN, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 3848]

The Committee on Agriculture, to whom was referred the bill (H. R. 3848) to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources, having considered the same, report thereon with a recommendation that it do pass.

STATEMENT

The bill, H. R. 3848, is a substitute for the bill H. R. 1456 which was considered by the committee in connection with the report of the Secretary of Agriculture. The committee decided to make certain amendments in this bill, and deemed it desirable to reenact section 9 with the needed amendments incorporated therein. These amendments increase the annual authorization from \$250,000 to \$750,000 and the total authorization from \$3,000,000 to \$6,500,000 for completing the initial survey. They authorize additionally not to exceed \$250,000 annually to keep it current.

H. R. 3848 is necessary to make possible the completion of a Nation-wide survey of the forest resources of the United States, both public and private, and to keep the results up to date.

This survey, authorized by section 9, includes field inventory of the supply of timber, a determination of the increase in volume on account of growth, of the depletion through cutting, fire, insects and other causes, and of present consumption and future trends in requirements for timber and other forest products. These data and analyses thereof are basic to the formulation of forest policies and programs.

Forest land comprises 630,000,000 acres or one-third of our total land area. Forests are one of our most important resources, and they are renewable. About half of the forest land has been covered by the survey under the original authorization of \$3,000,000 which is nearly exhausted.

The results of this activity are in constant demand by Federal, State, and private agencies and individuals. The war has greatly increased the need for figures on timber supplies, requirements for forest products, and other information on availability and quality of forest stands. Plans for post-war programs also recognize the importance of forest land and will be deficient to the extent that the forest survey is not carried forward to the rest of the country.

Forest depletion has progressed to a point where careful stocktaking of the forest resources is essential to facilitate the development of both public and private programs and sound forest management plans which will assure adequate supplies of timber for the future.

The legislation is recommended by the Secretary of Agriculture.

The committee recognizes the need for dependable information on the forest resource and recommends speedy enactment of this bill as an indispensable link in furthering more effective and permanent use of our forest lands.

The report of the Secretary of Agriculture on H. R. 1456 which includes further explanation of the need for this legislation follows:

JULY 16, 1943.

Hon. H. P. FULMER,

Chairman, Committee on Agriculture,

House of Representatives, Washington, D. C.

DEAR MR. FULMER: I have your letter of May 10 requesting a report on bill H. R. 1456, introduced by Congressman Randolph, to amend section 9 of the act of May 23, 1928, authorizing and directing the survey of forest resources.

This amendment is for the purpose of authorizing the appropriation of funds to complete the Nation-wide forest survey and to keep the findings up to date. The enactment of this bill would place section 9 on the same basis with respect to appropriation as other sections of the organic Forest Research Act of May 22, 1928, by removing the present authorization limitations of \$250,000 annually and of \$3,000,000 total appropriation.

The forest survey was initiated 13 years ago to obtain basic information on timber supplies, their rate of depletion and growth, our requirements for timber for all commodity purposes, and the related information about the forest resources necessary in formulating sound forest policies. Over \$2,600,000 of the original \$3,000,000 authorized has already been appropriated. The survey has covered about half of the forest area of the United States.

To serve most constructively in the post-war period the field inventory of the forest survey must be extended over the remainder of the country as rapidly as possible, and preferably be completed in not more than 6 to 8 years. The forest resource situation, however, is inherently subject to constant change because of cutting, fire, insects, and disease in the timber, and its replacement by growth. Therefore, in order to keep the survey information up to date, following the completion of this Nation-wide inventory, a small annual appropriation will be needed.

Some years ago it became apparent that the survey must be broadened if its findings were to be sufficiently inclusive and localized to meet the persistent and growing demands of Federal, State, and private agencies and individuals. The war has greatly increased the need for information regarding timber supplies, requirements for forest products, utilization practices, and for other factual information and analyses within the general field of survey coverage. In order to meet constant requests from the War Production Board, Office of Price Administration, and other war agencies, "spot" surveys are being made with respect to critical species, lumber, and other forest products' production by primary industries is determined, special reports are prepared, and records kept current on areas already covered by the survey.

This amendment has been endorsed and strongly supported by virtually all agencies and organizations, public and private alike, that are concerned with forestry problems. The joint committee on forestry recognized the fundamental importance of the forest survey and the necessity for modifying the present restrictive authorization under which it operates. In its report, *Forest Lands of the United States* (H. Rept. No. 323, 77th Cong.) the joint committee recom-

mended "Amendment to section 9 of the McSweeney-McNary Forest Research Act of 1928 to authorize an annual appropriation of \$750,000 for early completion of the forest survey of the United States." In the opinion of this Department the present bill is reasonably consistent with this recommendation and would be effective as a means of attaining the desired objective.

The significance of forest resources in both war and peace is increasing. The information that the forest survey obtains is essential to making such effective use of our forests that they will contribute in full measure to national income and welfare. We therefore recommend enactment of the proposed amendment.

It is suggested that the code citation in the bill be changed from "16 U. S. C. 58" to "16 U. S. C. 581h."

The Bureau of the Budget has advised that it had no objection to the submission of a similar report to the Senate Committee on Agriculture and Forestry on S. 44, an identical bill.

Sincerely,

CLAUDE R. WICKARD, *Secretary*.

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

[PUBLIC 466—70TH CONGRESS]

* * * * *

SEC. 9. That the Secretary of Agriculture is hereby authorized and directed, under such plans as he may determine to be fair and equitable, to cooperate with appropriate officials of each State of the United States, and either through them or directly with private and other agencies, in making *and keeping current* a comprehensive survey of the present and prospective requirements for timber and other forest products in the United States, and of timber supplies, including a determination of the present and potential productivity of forest land therein, and of such other facts as may be necessary in the determination of ways and means to balance the timber budget of the United States. There is hereby authorized to be appropriated **[annually]**, out of any money in the Treasury not otherwise appropriated, **[not more than \$250,000]** *not to exceed \$750,000 annually to complete the initial survey authorized by this section:* Provided, That the total appropriation of Federal funds under this section *to complete the initial survey* shall not exceed **[\$3,000,000]** *\$6,500,000. There is additionally authorized to be appropriated not to exceed \$250,000 annually to keep the survey current.*



Union Calendar No. 333

78TH CONGRESS
1ST SESSION

H. R. 3848

[Report No. 966]

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 1943

Mr. RANDOLPH introduced the following bill; which was referred to the Committee on Agriculture

DECEMBER 17, 1943

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

A BILL

To amend section 9 of the Act of May 22, 1928, authorizing and directing a national survey of forest resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That to enable the Secretary of Agriculture to complete
4 and keep current for the United States the forest survey
5 authorized and directed by section 9 of the Act of May 22,
6 1928 (45 Stat. 699, 702; 16 U. S. C. 581h), said section
7 is hereby amended to read as follows:

8 “That the Secretary of Agriculture is hereby authorized
9 and directed, under such plans as he may determine to be
10 fair and equitable, to cooperate with appropriate officials

1 of each State of the United States, and either through them
2 or directly with private and other agencies, in making and
3 keeping current a comprehensive survey of the present and
4 prospective requirements for timber and other forest prod-
5 ucts in the United States, and of timber supplies, including
6 a determination of the present and potential productivity
7 of forest land therein, and of such other facts as may be
8 necessary in the determination of ways and means to balance
9 the timber budget of the United States. There is hereby
10 authorized to be appropriated, out of any money in the
11 Treasury not otherwise appropriated, not to exceed \$750,000
12 annually to complete the initial survey authorized by this
13 section: *Provided*, That the total appropriation of Federal
14 funds under this section to complete the initial survey shall
15 not exceed \$6,500,000. There is additionally authorized
16 to be appropriated not to exceed \$250,000 annually to
17 keep the survey current.”

78TH CONGRESS
1ST Session

H. R. 3848

[Report No. 966]

A BILL

To amend section 9 of the Act of May 22, 1928,
authorizing and directing a national survey
of forest resources.

By Mr. RANDOLPH

DECEMBER 15, 1943

Referred to the Committee on Agriculture

DECEMBER 17, 1943

Committed to the Committee of the Whole House on
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1941 consumption. Industry is puzzled and bewildered by this action, for it is known that the stocks of sugar carried over from last season to this season were more than 1,000,000 tons above that carried over in peacetime years. The sugar allotment to commercial users had already been cut to 80 percent of the 1941 pre-war level, and there appears to be no justification whatsoever for a further decrease to 70 percent.

It was not difficult to understand the reasons for a decrease in the sugar supplies available in 1942 and the first half of 1943. There was apparent reason for strict sugar rationing to decrease the use of sugar because of the loss of a million tons of sugar a year normally shipped from the Philippines; from the forced reduction of nearly 200,000 tons a year that was produced in Hawaii; because of the serious shortage in shipping and because of the losses sustained by submarine action in the Caribbean area.

There is undoubtedly some justification for a continued rationing of sugar, particularly for commercial use and to prevent hoarding, until the risks of war are eliminated. But there can be no justification in the light of the supplies now available for such severe restrictions upon the commercial use of sugar as to create unnecessary handicaps and changes in the dietary habits of our people today. Conditions are entirely different from a year ago. The submarine menace has been licked. American industry produced over 2,000,000 tons of shipping last year and more than 1,000,000 tons in 1942. The United States and the United Nations as a whole have infinitely more ships and better ships today than at any time in history. The excuse is being made that the demands for the coming invasion of Europe require all of the ships that can possibly be made available to carry supplies to our troops overseas. They should have those supplies, and the ships should be furnished to transport them to the right locations in every part of the globe. Information that comes to hand, however, indicates that there is such poor administration in the use of these ships that millions of tons of shipping of needed commodities are lost forever.

It is reported that so many ships are engaged in the transportation of materials of war to our overseas forces that we do not have the dockside facilities quickly to reload those ships upon their return to this country. As a result, it is alleged that ships sometimes wait as long as 30 and 40 days after their return from overseas to be reloaded with further military supplies. If this fact is true, there is no reason under the sun why many of these ships on their way back from European ports cannot stop at Caribbean sugar ports and bring into the United States all of the sugar that is available at offshore points.

It is a sad travesty on democratic administration of government that in a land where American industrial ingenuity can convert from a peacetime basis to a wartime basis without destroying the standard of living, as America has done, that we cannot have in Government offices that caliber of men who can

practically meet the problems our wartime economy creates.

Before the war our greatest annual consumption of sugar in the United States totaled 6,750,000 tons, with a normal carry-over of from one and one-half to two million tons. On January 1, 1944, the total continental stocks and offshore stocks of sugar carry-over amounted to 3,026,000 tons. It is estimated by industry that the total production available to the United States will amount to 7,950,000 tons in the year 1944, which, with the carry-over of 3,026,000 tons, will total 10,976,000 tons. This is exclusive of 800,000 tons to 1,000,000 tons which will be converted into molasses for the alcohol program. The allocations for non-civilian sugar usage during the first half of 1944, according to the War Food Administration, is as follows:

Armed forces and war services, 269,378 tons; lend-lease and other purposes, 79,618 tons; other noncivilian uses, 573,580 tons; which is exclusive of another 500,000 tons the War Food Administration estimates will be shipped direct from the Caribbean area to the United Kingdom, Canada, and Russia during the entire year. If we double these amounts to produce an annual estimate, they aggregate about 1,848,000 tons, which, with 500,000 tons for our allies, totals about 2,350,000 tons. In addition, 200,000 tons is to be set aside as a reserve for the alcohol program. This leaves a total of 8,425,000 tons for domestic consumption and carry-over on January 1, 1945.

While the War Food Administration estimates that a minimum of 1,607,000 tons should be retained as a carry-over into next year, I would prefer to allow 2,000,000 for this purpose. This would leave 6,425,000 tons of sugar available for domestic civilian consumption in the United States.

On the basis of present rationing, the O. P. A. proposes to curtail civilian consumption to only 4,800,000 tons. No one can explain what the purpose is of the additional 1,625,000 tons of sugar.

There can be no possible legitimate reason for curtailing the commercial use of sugar to 70 percent of the 1941 consumption when there is a visible supply of an excess quantity of 1,625,000 tons for which no use is being considered.

In discussing this matter with officials in the administrative branch of Government, I learn that they refuse to consider sugar as available unless it is within the continental limits of the United States. Some of them maintain that the War Shipping Administration will not make the ships available to them. I have already pointed out how by a mere matter of sensible administration in the routine of ships now engaged in North Atlantic transportation they can readily bring into the United States far more than the potential production of sugar in the Caribbean area. But, presuming that this is not feasible, let us look at the matter from another viewpoint. The American merchant marine has been built up to more than 2,000 Liberty ships of some 10,000 ton capacity each, and there are hundreds of other ocean going vessels capable of carrying sugar and other freight. The reduction of sugar ration-

ing to commercial users from an 80-percent level to a 70-percent level amounts to less than 20,000 tons of sugar per month. Shipping men advise me that it requires not more than 25 days for a round trip, including loading and unloading, for a vessel from the Caribbean area to the United States, and not more than 30 days to Hawaii. This simply means that the assignment of 2 ships or less than 0.01 percent of the ships available can furnish all of the sugar needed to retain rationing of sugar at the 80-percent level to industrial users.

If the Administration is not playing politics with food, there can be only one other reason assigned for the insistence of those in administrative authority to reduce sugar consumption in this country to the low level of 4,800,000 tons. That reason is the forwarding of the efforts already made by some food faddists in our Government to discourage the consumption of sugar. They would have the American people go without candies, confections, ice cream, and soft drinks, all of which are items recognized by all psychologists as essential to both civilian and soldier morale. Sugar is one of the cheapest and quickest sources of energy available to the human race. The United States Public Health Service has strongly recommended that this type of refreshment be made available to factory employees to relieve fatigue, reduce accidents, and increase production. The public welfare demands that as a supplementary food the largest amounts be made available. Bureaucratic whim on the part of those temporarily invested with authority has no rightful place in the American Government.

Mr. Speaker, I append hereto a table which sets forth the availability of sugar to the United States for 1943 and 1944. The figures given for 1943 are largely factual, based upon known production and consumption. The figures for 1944 are the best estimates obtainable by those in the most authoritative position to know. I submit them for the consideration of Members of Congress.

Note: All figures used in this discussion are based on raw value in short tons.

	Short tons, raw value	
	1943	1944
Stocks in continental United States and offshore producing centers on Jan. 1, 1943:		
United States refiners, beet processors, domestic cane, importers.....	2,136,000	1,746,000
Cuba (export raws and refined).....	1,650,000	675,000
Puerto Rico (export raws and refined).....	145,500	233,000
Santo Domingo (export raws and refined).....	312,000	330,000
Hawaii (export raws and refined).....	25,500	10,000
Haiti (export raws and refined).....	15,000	32,000
Total initial stocks.....	4,284,000	3,026,000
Add new crop production:		
Cuba (net export, excluding local consumption).....	3,000,000	4,000,000
Puerto Rico (net export, excluding local consumption).....	942,000	700,000
Santo Domingo (net export, excluding local consumption).....	440,000	500,000

	Short tons, raw value	
	1943	1944
Add new crop production—Continued.		
Hawaii (net export, excluding local consumption).....	800,000	820,000
Haiti (net export, excluding local consumption).....	38,000	55,000
Domestic beets.....	1,071,500	1,250,000
Domestic cane.....	460,000	525,000
Miscellaneous full-duty imports.....	114,100	100,000
Total available.....	11,149,600	10,976,000
	Indicated or estimated	
Distribution and shipments:		
Armed forces, lend-lease, other exports ex the United States.....	1,409,000	1,254,000
United States civilian use.....	5,400,000	¹ 2,700,000 ² 2,375,000 ³ 200,000
Shipments of all kinds to "other countries" direct from producing centers.....	1,314,000	1,300,000
Total distribution and foreign shipments.....	8,123,600	7,829,000
Balance: Stocks on hand in United States and producing centers.....	3,026,000	3,147,000

¹ Home use.² Industrial use.³ Alcohol reserve.⁴ These stocks might be divided as follows, based upon normal expectancy of movement:

In continental United States.....	1,607,000
Cuba.....	965,000
Santo Domingo.....	350,000
Puerto Rico.....	200,000
Hawaii.....	25,000

Indicated stocks, Dec. 31, 1944..... 3,147,000

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a brief table of statistics.

The SPEAKER pro tempore [Mr. RAMSPECK]. Without objection, it is so ordered.

There was no objection.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. JONKMAN. I yield.

Mr. STEFAN. I thank the gentleman for allowing me to make a brief observation. I wish first to compliment him on the very illuminating report on the question of sugar. I, too, have made some investigation because I feel the cut in the quota of commercial sugar from the 1942 basis of 80 percent to 70 percent was too deep. It is creating a hardship in my part of the country, where traveling salesmen have no goods to sell to the merchants who are called upon by the consumers for badly needed foodstuffs.

The matter of sugar is very important to us in Nebraska. Its uses are badly needed now. The gentleman's report is timely. I was told in my investigation that we normally use around 6,000,000 tons of sugar a year. Our peak was near 8,000,000. I have the impression from my inquiry that we are now short about 2,000,000 tons of sugar which we need. The gentleman indicates that amount could be made available to us. My information is that much of the Cuban sugar now goes into industrial alcohol. The matter of lack of bottoms came into my investigation when I looked into the egg problem.

The House may like to know that the country is now flooded with eggs. Never before have we had so many eggs on hand. Agriculture tells me one reason is that farmers raised too many hens. Agriculture tells me that they asked farmers to increase egg production about 2½ percent and that the increase was 16 percent. They tell me they cannot find cold-storage space to store the eggs. They also tell me that produce which should have stayed in cold storage has been taken out to make room for eggs. We are glutted with eggs. The farmers were told that they would be guaranteed 90 percent or 100 percent parity for their eggs. But purchase of eggs stopped temporarily in the Middle West and I am told now that eggs are selling in my State as low as 20 cents a dozen. We pay up to 50 cents here in Washington. However, Agriculture tells me that they will again start buying eggs at 100 percent parity in the Midwest. This may relieve the situation slightly—but not sufficiently. Farmers and farm wives cannot raise eggs and sell them for 20 cents with the present high price of feeds. And the feed situation is serious. The lack of cold-storage space and the lack of bottoms will continue to keep this egg problem in chaos. I am told that lend-lease ships are not coming in to load these eggs and some other farm products. The reason for that may be a military secret but I add this information for what it is worth in order to indicate that there may be some shipping problem now both as regards to sugar and also eggs. I do feel, however, in view of what the gentleman has said, that we must work out this food distribution problem in order that there may be no hardship to either the producer or consumer.

Mr. JONKMAN. Mr. Speaker, I yield back the balance of my time.

STATUS OF RETIRED JUDGES

Mr. SABATH, from the Committee on Rules, submitted the following report on the bill S. 156 relating to the status of retired judges (H. Res. 487, Rept. No. 1304) which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 156) relating to the status of retired judges. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

NATIONAL SURVEY OF FOREST RESOURCES

Mr. SABATH. Mr. Speaker, by direction of the Committee on Rules and in behalf of my colleague, the gentleman from Kentucky [Mr. BATES], I submit

the following report on the bill H. R. 3848 to amendment section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources (Rept. No. 1305).

The SPEAKER pro tempore (Mr. RAMSPECK). The resolution is referred to the House Calendar and ordered printed.

The resolution (H. Res. 488) follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3848) to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

FOREST PERPETUATION

Mr. SABATH. Mr. Speaker, by direction of the Committee on Rules and on behalf of my colleague the gentleman from Kentucky [Mr. BATES] I submit the following report on the bill (S. 45) to amend section 3 of the act of June 7, 1924 (43 Stat. 653; U. S. C. 566) (H. Res. 489, Rept. No. 1306).

The SPEAKER pro tempore. The resolution is referred to the House Calendar and ordered printed.

The resolution follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 45) to amend section 3 of the act of June 7, 1924 (43 Stat. 653; 16 U. S. C. 566). That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4346. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1944, and for other purposes.

The message also announced that the Senate insists upon its amendments to

CONSIDERATION OF H. R. 3848

MARCH 28, 1944.—Referred to the House Calendar and ordered to be printed

MR. BATES of Kentucky, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 488]

The Committee on Rules, having had under consideration House Resolution 488, reports the same to the House with the recommendation that the resolution do pass.





House Calendar No. 217

78TH CONGRESS
2D SESSION

H. RES. 488

[Report No. 1305]

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 1944

Mr. BATES of Kentucky, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That immediately upon the adoption of this
2 resolution it shall be in order to move that the House resolve
3 itself into the Committee of the Whole House on the state
4 of the Union for the consideration of the bill (H. R. 3848)
5 to amend section 9 of the Act of May 22, 1928, authoriz-
6 ing and directing a national survey of forest resources. That
7 after general debate, which shall be confined to the bill and
8 shall continue not to exceed one hour, to be equally divided
9 and controlled by the chairman and the ranking minority
10 member of the Committee on Agriculture, the bill shall be
11 read for amendment under the five-minute rule. At the con-
12 clusion of the reading of the bill for amendment, the Com-

1 mittee shall rise and report the same to the House with
 2 such amendments as may have been adopted and the pre-
 3 vious question shall be considered as ordered on the bill
 4 and amendments thereto to final passage without intervening
 5 motion except one motion to recommit.

RESOLUTION

Providing for the consideration of H. R. 3848,
 a bill to amend section 9 of the Act of May
 22, 1928, authorizing and directing a na-
 tional survey of forest resources.

By Mr. BATES of Kentucky

MARCH 28, 1944

Referred to the House Calendar and ordered to be
 printed



Mr. FLANNAGAN. Mr. Speaker, I move the previous question.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the bill just passed at this point in the RECORD, and that all Members who wish to do so may have permission to extend their own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. FLANNAGAN]?

Mr. SABATH. Mr. Speaker, reserving the right to object, and I shall not object, this request is made to save time because there is no opposition to the bill and I hope unanimous consent will be granted the gentleman from Virginia [Mr. FLANNAGAN].

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. FLANNAGAN]?

There was no objection.

NATIONAL SURVEY OF FOREST RESOURCES

Mr. FLANNAGAN. Mr. Speaker, I call up the bill (H. R. 3848) to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources, and ask unanimous consent for its immediate consideration.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. FLANNAGAN]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That to enable the Secretary of Agriculture to complete and keep current for the United States the forest survey authorized and directed by section 9 of the act of May 22, 1928 (45 Stat. 699, 702; 16 U. S. C. 581h), said section is hereby amended to read as follows:

"That the Secretary of Agriculture is hereby authorized and directed, under such plans as he may determine to be fair and equitable, to cooperate with appropriate officials of each State of the United States, and either through them or directly with private and other agencies, in making and keeping current a comprehensive survey of the present and prospective requirements for timber and other forest products in the United States, and of timber supplies, including a determination of the present and potential productivity of forest land therein, and of such other facts as may be necessary in the determination of ways and means to balance the timber budget of the United States. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed \$750,000 annually to complete the initial survey authorized by this section: *Provided*, That the total appropriation of Federal funds under this section to complete the initial survey shall not exceed \$6,500,000. There is additionally authorized to be appropriated not to exceed \$250,000 annually to keep the survey current."

The bill was ordered to be engrossed and read a third time, was read the

third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. Without objection, House Resolution 488 is laid on the table.

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD at this point on the bill just passed and that all Members who may desire to speak on the legislation have permission to revise and extend their own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. FLANNAGAN]?

There was no objection.

H. R. 3848

Mr. FLANNAGAN. Mr. Speaker, this legislation was introduced for the purpose of amending section 9 of the act of May 22, 1928, commonly known as the McSweeney-McNary Act. The McSweeney-McNary Act, as many know, is oftentimes referred to as the charter for forest research in this country. Outside of the Clarke-McNary Act, in my opinion, more good has been accomplished under the McSweeney-McNary Act than any other piece of forest legislation. May I briefly recount the purposes of the act, which is made up of 10 sections.

Section 1 states the general purposes of the act.

Section 2 provides for research in forest management, with an authorization of \$1,000,000 per year.

Section 3 provides for the investigation of forest tree diseases, with an authorization of \$250,000 per year.

Section 4 provides for the investigation of forest insects, with an authorization of \$350,000 per year.

Section 5 provides for the investigation of forest wildlife, with an authorization of \$150,000 per year.

Section 6 provides for the investigation of forest fire weather, with an authorization of \$50,000 per year.

Section 7 provides for the investigation of forest range resources, with an authorization of \$275,000 per year.

Section 8 provides for an investigation of forest products, with an authorization of \$1,050,000 per year.

Section 9 provides for a Nation-wide survey of forest resources, limits the annual authorization to \$250,000 per year, and places a limit of \$3,000,000 on the total appropriation for the project.

Section 10 provides for forest economic investigations, with an authorization of \$250,000 per year.

In this legislation we are only concerned with section 9. Now, the objects of section 9 are four-fold:

First. An inventory of the area, location, and condition of forest lands, and the quantity, kind, and quality of the timber on the land.

Second. A determination of the rate of growth of our forests, by types, regions, and species.

Third. A determination of the rate at which our timber is being depleted by cutting and by fire, by insects, diseases, and so forth.

Fourth. A determination of the current and probable future requirements

for forest products for all purposes and uses.

In the beginning let me call your attention to the fact that section 9 is the only section that places a limitation on the total appropriation. While section 9 authorizes an appropriation of \$250,000 per year, a limitation of \$3,000,000 is placed on the total appropriation for the survey. The limitation has just about been reached. At the beginning of the year \$2,707,313 had been expended on the survey and the survey was approximately one-half completed.

The House Committee on Agriculture held complete hearings on the bill, which was introduced by the gentleman from West Virginia [Mr. RANDOLPH]. It appears from these hearings that some 300,000,000 acres of our total 630,000,000 forest acres have been covered by the survey. The survey was commenced in 1930 and continued until interrupted by the war, and the cost so far has been 1.6 cents per acre. Let me digress at this point to state that the survey has been of untold value to our war effort. The War Production Board has used the survey and the personnel connected with the survey for the purpose of locating the various species of timber for various purposes, such as aircraft and ship timber, and so forth, and in securing information on the rate of production and factors effecting production, why production was falling off, or was not increasing in places needed, and so forth. Had it not been for the survey the production of lumber for war purposes would have been greatly retarded.

The evidence before the committee is to the effect that it will take an additional \$3,500,000 to complete the survey, which will make a total cost of \$6,500,000. The evidence further shows that it will take \$250,000 per year to keep the survey current. Of course, the survey unless kept current would be of little or no value. The bill unanimously reported by the House Committee on Agriculture increases the total authorization of \$3,000,000 contained in section 9 of the McSweeney-McNary bill to \$6,500,000 in order for the survey to be completed and authorizes \$250,000 per annum to keep the survey current. The bill as reported authorizes an annual appropriation of \$750,000 of the additional \$3,500,000, the evidence showing this amount can be used annually in completing the survey.

The importance of this legislation from the standpoint of the States is excellently stated by Mr. Joseph F. Kaylor, State forester of Maryland, who testified before the committee for the Association of State Foresters. Mr. Kaylor stated:

In many States, forestry departments are considered the keystone of the conservation arch. Yet, as things stand, State officials must attempt to build a structure without adequate architectural plans. The forest survey will supply facts and figures for such plans.

State forestry agencies are continuously asked to produce factual information for forest industries, especially when emergency arises, and high-grade products are in demand. Many of the 41 States which I represent here today do not have the facts

and figures to supply timber-using agencies, nor do they have this information to say definitely that we should or should not cut or remove what is very likely to be valuable growing stock that may be sacrificed in a very wasteful manner. State forestry departments have, therefore, been placed in the rather awkward position of discouraging additional development of forest industries for fear that new industries will remove much of the potential wood fiber, and thereby wreck havoc in existing industries now using products of the forest.

State forestry departments are charged with the protection of nearly 400,000,000 acres of forest land. I must admit, as a representative of the State foresters, that we do not have adequate data on which to submit State-wide forest fire protection plans based on a knowledge of conditions, costs, and an acceptable plan of action. This cannot be worked out until we know more about the basic conditions of our timberlands, such as the total stand of timber, condition of the growing stock, growth, and drain on the timber. We must have information upon which to establish forest transportation systems, the location of fire towers, and to determine administrative districts. It is also essential to indicate the ultrahigh hazard areas where intensive forest-fire protection is imperative.

As the agencies to whom our citizens look for information on forest products, the State foresters are continually called upon to make market studies, and similar investigations, but are faced with obsolete or inadequate information to form a basis for such activities.

Forest-type maps such as are developed by the forest survey should prove invaluable to other bureaus of the State conservation agencies. I refer to the assistance which could be rendered to game and fish authorities by supplying them with vegetative-cover maps to show what lands are best adapted to raising deer or quail and what the carrying capacity of these lands is at the time of the investigation. With the survey's facts and figures State foresters are in position to effectuate a Nation-wide flood control program in the uplands. I am thoroughly convinced that for every dollar spent for intensive fire protection and upstream engineering work, a greater return in flood control and prevention of soil erosion can be derived than from any other public expenditure.

To permit State officials to function as they should in the public interest, we hope that your committee will approve and authorize a continuation of the forest survey.

The value of the survey to the farmers of America was ably presented by Mr. Fred Breckman, Washington representative of the National Grange. Mr. Breckman stated:

I said one-third of our forest lands are in farm wood lots.

Our farm wood lots comprise about 185,000,000 acres, or an average of about 50 acres per farm. Between six and seven billion board feet of lumber is required annually by our farmers. In addition, vast quantities of fuel wood, posts, poles, and so forth, come from these wood lots. It is, therefore, important that they should be properly handled.

But before any natural resource can be intelligently managed, basic facts about it must be available. The forest survey is obtaining this information for both private and public forest lands of all kinds as a basis for sound programs and policies.

As we understand it, about one-half of the country's forests have been surveyed, and the appropriation made to conduct this work is nearly exhausted.

The National Grange has formally recommended the speedy completion of the forest

survey. The war has brought home the critical need for information on farm production, whether it be food, fiber, or lumber. Since the purpose of the forest-survey amendment which is now being considered is to authorize funds to complete the survey for the remainder of the country, we favor its enactment. Considerable funds are expended annually to obtain production data on farm crops other than timber, and we feel that more facts about the wood lots are needed for sound land-use management on farms.

Yes; the extension foresters have been of great help to a few farmers in managing their farm wood lots properly. They show them which trees to cut and many other things, and right now in a few places a marketing program is in effect under which the farmer is advised how to estimate the value of his timber. That is an important matter for the average farmer. A speculator or somebody like that may come around and say, "I will give you a thousand dollars for the timber on your place." The farmer, not having an accurate idea as to the value of the timber, might fall for that proposition, where if he had a chance to consult with somebody to make an intelligent estimate for him, that person might say, "Why, you can get a thousand dollars for half of it, and still have the rest." It is of great value to the farmer to get the right kind of information when he needs it.

This legislation was recommended by the Department of Agriculture, approved by the Bureau of the Budget, and after full hearings and careful study, unanimously reported by the House Committee on Agriculture. Moreover, it has the support of the United States Forestry Service, the American Forestry Association, the West Coast Timbermen's Association, the Association of State Foresters, the National Grange, and the American Farm Bureau.

The bill should pass.

Mr. RANDOLPH. Mr. Speaker, the chairman of the Committee on Agriculture has spoken of the necessity for the pending bill. It is important that the House act favorably on H. R. 3848, and it is my belief that the Senate will concur in the passage of a measure intended to complete the survey of the forest resources of the United States. The forests in our country comprise about one-third of the land area, or more than 600,000,000 acres. It is a big task.

West Virginia, in company with other States, has not been embraced in the work done to date. There are approximately 10,000,000 forest acres in our State to be checked. The Monongahela National Forest of about 1,000,000 acres, and the George Washington National Forest, in part, are located in West Virginia. Approximately one-half of the forest lands, public and private, have been inventoried in the Nation. It is vital that the remaining work go forward at once, because the prosecution of this war has drained the timber supply of the Nation. We need to have information for the establishment of a basic forest policy.

In a statement in behalf of this bill, when a hearing was held before the Committee on Agriculture, December 7, 1943, I said:

After more than 300 years of settlement this country is still forced to rely on estimates or guesses about a national resource which

keeps numerous industries going and paying wages which support five to six million persons. In addition, woodlands help support 2,500,000 farm families. The Government spends millions to collect information on the production of soil crops other than timber, and I think the farmers are entitled to the same consideration regarding their woodlands which make up one-third of our commercial forest land.

Forest lands supply game with food and shelter and millions of Americans with opportunity for recreation. Forests conserve water and help prevent floods and erosion.

Forests are one of our most important renewable natural resources. They must be managed, not mined. This resource must be perpetuated and made secure for the people.

I would like to paraphrase my prepared statement at this point by saying that certain scientists and research experts in America today believe that it is very possible that within 40 or 50 years from now we will be thinking very definitely in terms of the production of fuels from wood products, and so I would like to attempt to reinforce what I have said here on the other values of forest products from the standpoint of a possible source of fuel in the future.

To set up this type of program we must make it perpetuating, and we must bring it to the people in a manner which will cause it to be secure. To set up policies and programs to do this requires authentic information such as the forest survey is obtaining on the extent, location, and condition of forest land and the timber on it, the rate of depletion, and the present and prospective requirements of the country for the forest products which we know will be increasingly used.

America, Mr. Speaker, and my colleagues, is a rich nation, but we cannot expect our resources, particularly forest in nature, to continue to supply a nation at war and during the reconstruction period when peace has come again if we indiscriminately cut the trees from the land without laying down a pattern for scientific renewal of our reserves. This survey will return threefold the money necessary to carry it forward.

Mr. BREHM. Mr. Speaker, in my remarks on the floor of the House on March 23 regarding the need for forest research I touched briefly on this survey. It is progressing too slowly and unless this amendment is passed the study will have to stop in another year or so, with the country only half covered, because the funds authorized to start the survey will all have been appropriated. This situation arises not because of any inefficient use of the funds, but clearly on account of the magnitude of the job. I am told that the 300,000,000 acres already covered has cost less than 2 cents per acre.

This survey obtains information on the area and condition of forest land, volume and growth of the timber, and the requirements of the wood-using industries for raw materials from the forests. Such facts are essential for the sound development and utilization of a region's forest resources. Unfortunately they are not available for the Central State because the Forest Survey has not covered it.

In regions such as the South which have been studied, excellent use has been made of the findings in determining the supply of critical timber for war purposes and in adjusting industrial development to the capacity of the land to

produce timber. Another important use of the results is in bringing out the condition of the forest land, and in most cases the need for better forest practice to produce a permanent and increased supply of timber for industry, both of which are basic to community stabilization and regular employment.

I sincerely trust that this resolution will be adopted unanimously.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed and that they may appear immediately following the statement of the gentleman from Virginia, the chairman of the committee.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

Mr. BREHM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the bill just passed and that they may follow those of the gentleman from West Virginia [Mr. RANDOLPH].

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BREHM]?

There was no objection.

HUNGRY HORSE DAM

Mr. SABATH. Mr. Speaker, I call up House Resolution 481, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3570) to provide as an emergency war project for the partial construction of the Hungry Horse Dam on the South Fork of the Flathead River in the State of Montana, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Irrigation and Reclamation, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ROBINSON of Utah. Mr. Speaker, I ask unanimous consent that the bill H. R. 3570, be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of providing additional storage for water which shall be used for (1) the generation of electric energy urgently needed for the war effort, and (2) the irrigation and reclamation of arid lands, and other beneficial uses, primarily in the State of Montana but also in downstream areas, the Secretary of the Interior is authorized and directed to proceed immediately with the construction of the proposed Hungry Horse Dam (including facilities for generating electric energy) on the South Fork of the Flathead River, Flathead County, Mont., to such a height as may be necessary to im-

pound immediately approximately 1,000,000 acre-feet of water.

SEC. 2. The Secretary of the Interior is authorized to complete, as soon as the necessary additional material is available, the construction of the Hungry Horse Dam so as to provide a storage reservoir with an ultimate capacity of approximately 1,500,000 acre-feet of water.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That for the purpose of irrigation and reclamation of arid lands, for controlling floods, improving navigation, regulating the flow of the South Fork of the Flathead River, for the generation of electric energy urgently needed for the war effort, and for other beneficial uses primarily in the State of Montana but also in downstream areas, the Secretary of the Interior is authorized and directed to proceed as soon as practicable with the construction, operation, and maintenance of the proposed Hungry Horse Dam (including facilities for generating electric energy) on the South Fork of the Flathead River, Flathead County, Mont., to such a height as may be necessary to impound not less than 1,000,000 acre-feet of water.

"SEC. 2. The Secretary of the Interior is authorized to complete, as soon as the necessary additional material is available, the construction of the Hungry Horse Dam so as to provide a storage reservoir of the maximum usable and feasible capacity.

"SEC. 3. The Secretary of the Interior is authorized to construct, operate, and maintain under the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388 and acts amendatory thereof or supplementary thereto), such additional works as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in such Federal reclamation laws; and, within the limits of the water users' repayment ability, such report may be predicated on allocation to irrigation of an appropriate portion of the cost of constructing said dam and reservoir. Said dam and reservoir and said irrigation works may be utilized for irrigation purposes only pursuant to the provisions of said Federal reclamation laws.

"SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this act."

The committee amendment was agreed to.

Mr. MANSFIELD of Montana. Mr. Speaker, we of Montana owe a great deal to the sterling efforts of Congressmen WHITE, O'CONNOR, HORAN, ROCKWELL, and all the other members of the Irrigation Committee for their untiring efforts in behalf of this proposed legislation.

I rise at this time to speak in behalf of H. R. 3570, a bill to provide for the authorization of the Hungry Horse Dam on the south fork of the Flathead River in northwestern Montana. First, I want to thank the House for the consideration it has shown to me and to the people of my State during the period of grave emergency and great anxiety of last summer when Flathead Lake was threatened and when our security and hopes were at a very low ebb. At that time we were fearful that the Bonneville Administration and the Army engineers would, under the War Powers Act, come in and raise our lake initially 17 feet and by

1946, 37 feet. Because of that the entire Montana delegation—Senators WHEELER and MURRAY, Congressman O'CONNOR, and myself—met with the Bonneville Advisory Commission and urged them not to go ahead with their plan. We were given the assurance that before anything was done meetings to discuss the situation would be held by the Army engineers and the Bonneville Administration with the Montana people. These meetings were held on June 1 and 3, 1943, and I should like to call your attention to the newspaper headlines and clippings regarding them, which I have collected so that you will be able to have some idea as to how this situation affected us.

At the first meeting, held June 1 at Helena, the State capital, Brig. Gen. Warren T. Hannum made the statement that—

Of four proposals for Northwest power development considered, raising of Flathead Lake by 17 feet to provide the needed supplemental storage for Grand Coulee and Bonneville Dams was the only one that was feasible to meet the war emergency.

May I repeat, General Hannum said in effect that the raising of Flathead Lake was the only proposal of four considered that was feasible to meet the war emergency. I further quote from a statement made by the general at the Helena meeting and carried over the U. P. to the effect that—

The survey just completed will be submitted for approval to the Bonneville Power Administration and the War Production Board and after the Secretary of War asks Congress for the appropriation we intend to begin work July 1.

That, as you see, was a pretty bald statement because we were told in Montana that our site was the only feasible one, that there was a war emergency, and that work begin July 1. You can well understand how those words affected the thinking of the people and 2 days later at the public meeting called in Kalispell, Mont., the people showed their feelings in unmistakable terms. These headlines on the chart show how it was felt in the press in various parts of the State.

It is easy for any Member of this House to envisage the situation which arose. Not only was Flathead Lake itself to be raised, which the Army engineers said was necessary to furnish storage for power downstream in Washington and Oregon, but in addition it would have affected the welfare of 25,000 people directly, and 50,000 people indirectly throughout western Montana; it would have destroyed a large lumber industry; it would have brought about the removal from their homes of people who had determined to spend the rest of their lives in the beautiful Flathead Valley; it would have inundated something like 50,000 acres of the best agricultural land in the country; it would have wiped out some towns completely, others partially; and it would have made a stinking morass of the most scenic area in the United States.

At this public meeting, the Flathead County High School auditorium which normally seats 1,500 was crowded to the limit, and it was estimated that 3,200 people were inside the auditorium and a

like number outside taking in the proceedings via loudspeakers. The people came to the meeting determined to do all that they possibly could to stop this despicable plan, and I am afraid that had the attempt to raise Flathead gone through there would have been trouble at that time. If the people of the Flathead country were convinced that the raising of Flathead Lake was a war need they would, I assure you, have given their wholehearted assent to what was necessary. However, they did not believe that such was the case and I agree with them wholeheartedly, because all of us from that part of the country knew that there were other areas such as the Hungry Horse which could be developed which would not have affected the economy of the region as the Flathead Lake proposal would. Montana has never failed in meeting its country's needs.

The Flathead has sent in excess of 4,000 of its sons and daughters into the armed forces of the United States to fight to protect their homes and country. I sincerely hope that when they return they will not find that they have won the war abroad only to find that they have lost their valley and the homes which they have looked forward to and which they felt that they were defending in this war. Montana has made many contributions to the war through its manpower. Forty-eight thousand three hundred and eighty-eight out of a draft register of 127,958—and this includes all the 18-44's—had by December 9, 1943, entered the service of their country. We have been among the leaders in the buying of bonds and in the giving of our natural resources, but Montana has been treated shabbily in the matter of war industries since the war started and many of our people have been forced to leave the State to work in other parts of the country. This matter of the proposed raising of Flathead Lake was another indication of our being treated unfairly. However, thanks to the consideration which Congress gave us and to the deadly serious and united support of every person in the State of Montana, we were able to have an investigating committee sent to the Flathead this past summer and out of that has come the proposal for the authorization of the Hungry Horse Dam.

Few States in the Union have greater water resources than Montana, but we have not realized the full value of them until just lately. Two of the largest rivers in the United States, the Missouri and the Columbia, rise in Montana, and Montana is the only State which can boast of rivers draining into the Pacific Ocean, the Gulf of Mexico, and Hudson Bay. The annual flow of all its rivers would cover the entire State with 6 inches of water, and this flow would irrigate in excess of 10,000,000 acres, although actually only 2,000,000 acres are irrigated at the present time and less than two-thirds of these have adequate water all the time. The rivers of Montana could supply 3,700,000 horsepower of electric energy, which is about one-tenth of the estimated hydroelectric capacity for the entire United States. Only four States—California, New York, Oregon,

and Arizona—have greater potential power resources, and yet Montana's actual production is less than 500,000 horsepower.

Montana, fortunately perhaps, probably can never become a center of heavy industry or even predominantly industrial in the sense of light manufacture. However, there is no reason why, in time, power should not be developed in Montana to further the use of our alumina clays, our metals, and our forest resources. We would like to see in our State a well-developed, sound industrial economy, not based on war but based on a system whereby we would have a permanent means of integrating our resources, our power, and our people. We do want to advance gradually and soundly.

We in Montana look upon our State as a part of the Northwest and what is done in developing such projects as the Hungry Horse, we think, will benefit all the States of the region. Montana has raw materials in lavish supply, all kinds of minerals, and a varied and imposing list of agricultural products. We have a vigorous and hardy people who can furnish the necessary labor supply, for they are descendants of great men and women—the pioneers who settled this area in the first place. We have a great job to do in taking our place in the family of States. It cannot be done without sound thinking, wise planning, and hard work.

The answer to our problem concerning Flathead Lake and the Hungry Horse lies here in Washington. We have done everything we possibly can do, and now we are coming to you and asking that you give us the assurance, in the authorization of this bill, that nothing further will ever be done to destroy Flathead Lake. In the past there have been two attempts to take over that lake but to date they have been unsuccessful. We of Montana feel that though we have been successful in thwarting outside efforts twice, it is quite possible that the danger will rise again. Hence I am introducing this bill to cover authorization for the construction of the Hungry Horse Dam. This is an alternative proposal, in case another attempt is made to raise Flathead Lake. It is also insurance to us that such an attempt will not be made again if another and more feasible project is authorized.

The Bonneville Power Administration is behind the authorization; the Reclamation Service, which would have the control of the project, is in favor of it, and the Reclamation Service has indicated that approximately 100,000 acres would be benefited from irrigation furnished from the Hungry Horse Reservoir. In addition, of course, it would be of great value in power benefits to the State and to the region when the hydroelectric facilities are completed, and it would be of some value in flood control not only in the Flathead Valley itself but as far west as Idaho. Furthermore, on the proposed Hungry Horse site there is no farm land to be taken out of production, no railroads or highways or telephone lines to be flooded out, no homes to be destroyed. It is up in the mountains in the Flathead National Forest

and it will not decrease the value of the tax rolls.

It might be well also to point out at this time that in the State of Montana, and throughout a large part of the Northwest as well, our water flows fluctuate up and down. We have a series of wet years and a series of dry years, and if we should experience another dry period, as we did in the thirties, it might be imperative that the Bonneville Power Administration would have to develop quickly some new storage plan. In such a situation we would be afraid that they would pick Flathead Lake for the project if this bill—which I am discussing—is not passed.

I have with me today the report of the Northwest States Development Association, which is an organization of the Governors of Oregon, Washington, Montana, Idaho, and Wyoming, in which is recommended the construction of the Hungry Horse Dam as an immediate necessity. This association has made a very careful study of the various projects in the five Northwest States and has availed itself of all possible information from governmental departments, State, and private sources. The association recommends for immediate or early post-war construction only such projects as are urgently necessary and self-liquidating, which means that the Government will be entirely reimbursed and that there will be no charge against the taxpayers of the United States for such construction. The Hungry Horse project is, I repeat, entirely within the national forest, has no agricultural value, and a very limited value for the future production of timber as evidenced by the statement before the Irrigation Committee from the Department of Agriculture.

A few more facts before I finish. We have been told by reclamation engineers who have carried on soil analyses in the Flathead area that much of our land will be worthless inside of 20 years if it is not taken care of and built up now through use of irrigation waters and rotation of crops.

For almost 16 years the question of the raising of Flathead Lake has been held as a sword of Damocles over the heads of the people of Montana. I believe, Mr. Speaker, that the insecurity this caused has retarded development in Montana and that the resulting instability has cost many times more than the price of the cost of the Hungry Horse Dam.

I should also like to call to your attention, Mr. Speaker, that every person and every group in Montana is wholeheartedly behind this project. For the first time in the history of our State we have achieved unity on a single domestic proposition. That unity was born when the Flathead was threatened last summer; that unity has survived in the desire for the authorization of the Hungry Horse. This is not class or partisan legislation; it is the plea of a united people for what they believe to be right and just. They believe that this is the most important piece of legislation they have ever asked from Congress and they feel that its enactment will benefit them and the entire Northwest for all time.



Sarpy, Saunders, Seward, Thurston, Washington.

7. "Designated agent" means an elevator operator located in the designated area and authorized by Commodity to receive corn for the account of Commodity.

b. "County committee" means the county agricultural conservation committee.

9. "Feeder" means any farmer or other person who acquires corn for the purpose of feeding livestock or poultry.

10. "Authorized agent" means any employee of the United States, any State or local agency, whose services are utilized by the Agricultural Adjustment Agency pursuant to (k) hereof.

11. "Mixed-feed manufacturer" means any person who uses corn in the manufacture of mixed feed for sale.

(b) Limitations on sale and transportation. Except as hereinafter otherwise provided:

1. No person shall sell or deliver corn located in the designated area to any person other than Commodity or its designated agent, and no person other than Commodity or its designated agent shall purchase or accept delivery of corn located in such area.

2. No person shall accept corn located in the designated area for transportation or delivery to any person other than Commodity or its designated agent. This provision shall not be construed to prevent any person or his agent from transporting corn owned by him from any point within the designated area to another point within such area.

3. No person shall transport corn from the designated area to any place outside of such area, except to Commodity or its designated agent.

(c) Exemptions:

1. Any feeder whose establishment is located in the designated area and who has less than a 30-day supply of corn for feeding requirements may, upon application to the county committee for the county in which his establishment is located, be authorized by the committee, in writing, to acquire and transport:

(i) From any person other than an elevator operator in the designated area either 50 bushels of corn located in such area or such amount as is necessary to make his inventory equal to a 30-day supply, whichever amount is the greater; or

(ii) From any elevator operator located in the designated area either 50 bushels of corn not subject to the set-aside requirements of War Food Order No. 96 (9 F. R. 3253) or War Food Order No. 96.1 (9 F. R. 3626), or such amount of such corn as is necessary to make his inventory equal to a 30-day supply, whichever amount is the greater.

2. Upon the surrender to the seller of an authorization issued by the appropriate county committee in accordance with (c) (1) hereof:

(i) Any person other than an elevator operator in the designated area may sell and deliver to the person named in such authorization the amount of corn specified therein; and

(ii) Any elevator operator located in the designated area may sell and deliver to the person named in such authorization corn not subject to the set-aside requirements of War Food Order No. 96, supra, or War Food Order No. 96.1, supra, in the amount specified in such authorization.

3. Any feeder, upon application to the county committee for the county where corn owned by him is located, may be authorized by such committee, in writing, to transport such corn to any point outside of the designated area for the purpose of feeding livestock or poultry owned by him.

4. Any person who buys, sells, or transports corn in accordance with the provisions of any authorization issued by a county committee under this order shall comply with all

directions contained in such authorization.

(d) Transportation:

1. Any person transporting corn within or from the designated area by any means other than rail shall stop upon request by an authorized agent, shall identify the source and destination of such corn, and shall allow inspection of any shipping papers in his possession; and any authorized agent who has probable cause to believe that any person is transporting corn in violation of this order is authorized to stop such person and make the inspection herein provided for.

2. Any person transporting corn within or from the designated area in accordance with an authorization issued under (c) hereof shall, while engaged in such transportation, carry a copy of such authorization which shall be submitted for inspection by an authorized agent upon request.

(e) Limitations on use:

1. Beginning May 1, 1944, no mixed-feed manufacturer located in the designated area shall use during any month any quantity of corn in the manufacture of mixed feed which is in excess of the average quantity of corn used by him in the manufacture of mixed feed during the corresponding month of the calendar years 1942 and 1943.

2. Every person who, under an authorization from Commodity, acquires corn from Commodity or any of its designated agents shall comply with all the terms and conditions specified in such authorization, and any failure to comply with such terms and conditions shall constitute a violation of this order.

(f) Contracts: The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made, or any rights accrued or payments made thereunder.

(g) Records and reports:

1. The Chief of A. A. A. shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

2. Every person subject to this order shall, for at least 1 year (or for such period of time as the Chief of A. A. A. may designate), maintain an accurate record of his transactions in corn.

3. Every elevator operator shall, prior to any sale or delivery of corn under the provisions of (c) hereof, report to the county committee for the county in which his elevator or other facility is located the amount of corn on hand on the effective date of this order which was not subject to the set-aside requirements of War Food Order No. 96, supra, or War Food Order No. 96.1, supra.

(h) Audits and inspections: The Chief of A. A. A. shall be entitled to make such audit or inspection of the books, records, and other writings, premises, or stocks of corn of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) Request for relief from hardship: Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the county committee for the county in which the corn is located. The request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such request shall be acted upon by the Chief of A. A. A. or any employee of the Agricultural Adjustment Agency designated by him.

(j) Violations: Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using corn or any other material subject to

priority or allocation control by any governmental agency. Any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) Delegation of authority: The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Chief of A. A. A. The Chief of A. A. A. is authorized to redelegate to any employee of the United States Department of Agriculture, or to any agency or employee of the United States, any or all of the authority vested in him by this order, and to utilize the services of any Federal, State, or local agency in the administration of this order.

(l) Communications: All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Chief of A. A. A., be addressed to the Chief of Agricultural Adjustment Agency, United States Department of Agriculture, Washington 25, D. C., Ref.: W. F. O. 98.

This order shall be effective for 90 days beginning at 12:01 a. m., central war time, April 25, 1944.

NOTE.—All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E. O. 9280, 7 F. R. 10179; E. O. 9322, 8 F. R. 3807; E. O. 9334, 8 F. R. 5423; E. O. 9392, 8 F. R. 14783.)

Issued this 22d day of April 1944.

GROVER B. HILL,

Acting War Food Administrator.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 45) to amend section 3 of the act of June 7, 1924 (43 Stat. 653; 16 U. S. C. 566), with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3570. An act to provide as an emergency war project for the partial construction of the Hungry Horse Dam on the South Fork of the Flathead River in the State of Montana, and for other purposes; and

H. R. 3848. An act to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources;

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 962. An act for the relief of Mr. and Mrs. Frank Holehan;

S. 1399. An act for the relief of Frank Knowles;

S. 1433. An act for the relief of Clarence A. Giddens;

S. 1484. An act for the relief of Walter Eugene Hayes;

S. 1517. An act for the relief of Staff Sgt. Marion Johnson, United States Marine Corps, and Sgt. George B. Kress, United States Marine Corps Reserve;

S. 1542. An act to provide for reimbursement of certain Navy personnel and former

Navy personnel for personal property lost or damaged as the result of a fire in building B. O. Q. O-3 at the United States naval construction training center, Davisville, R. I., on March 27, 1943;

S. 1632. An act for the relief of Capt. S. E. McCarty (Supply Corps), United States Navy;

S. 1676. An act for the relief of Sgt. Maj. Richard Shaker, United States Marine Corps;

S. 1677. An act for the relief of Lt. (Jr. Gr.) Newt A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of Aviation Free Gunnery Unit, Dam Neck, Va; and

S. 1681. An act to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in officers' quarters on February 9, 1943.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H. R. 3570. An act to provide an emergency war project for the partial construction of the Hungry Horse Dam on the South Fork of the Flathead River in the State of Montana, and for other purposes; to the Committee on Irrigation and Reclamation.

H. R. 3848. An act to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources; to the Committee on Agriculture and Forestry.

PROTECTION OF THE NAME "RED CROSS"

Mr. O'MAHONEY. Mr. President, in accordance with the understanding which was reached upon the floor last week, I now move that the Senate proceed to the consideration of the motion to reconsider the vote by which Senate bill 469 was passed. The motion to reconsider was made by the junior Senator from Tennessee [Mr. STEWART] on January 19, 1944.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 469) to implement article 28 of the convention signed at Geneva on July 27, 1929, relating to the use of the emblem and name of the Red Cross.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming.

The motion was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the motion to reconsider the vote by which the bill was passed.

Mr. O'MAHONEY. Mr. President, the motion to reconsider—

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am glad to yield to the Senator from Arizona.

Mr. McFARLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Bankhead	Brooks
Andrews	Barkley	Buck
Austin	Bilbo	Burton
Bailey	Brewster	Bushfield
Ball	Bridges	Butler

Byrd	Holman	Russell
Caraway	Jackson	Shipstead
Chandler	Johnson, Colo.	Smith
Chavez	La Follette	Stewart
Clark, Idaho	McClellan	Taft
Clark, Mo.	McFarland	Thomas, Idaho
Connally	McKellar	Thomas, Okla.
McCarty	Maloney	Truman
Danaher	Maybank	Tunnell
Downey	Mead	Tydings
Eastland	Murdock	Vandenberg
Ellender	Nye	Wagner
Ferguson	O'Daniel	Weeks
George	O'Mahoney	Wheeler
Gerry	Overton	Wherry
Gillette	Radcliffe	White
Green	Reed	Wiley
Guffey	Revercomb	Willis
Hawkes	Robertson	Wilson

Mr. BARKLEY. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], and the Senator from New Jersey [Mr. WALSH] are absent from the Senate because of illness.

The Senator from Utah [Mr. THOMAS] has been appointed by the President of the United States as a delegate to the annual meeting of the International Labor Organization Conference in Philadelphia, and is therefore necessarily absent.

The Senator from New Mexico [Mr. HATCH], the Senator from Montana [Mr. MURRAY], the Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM], and the Senator from Massachusetts [Mr. WALSH] are absent on official business.

The Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Illinois [Mr. LUCAS], and the Senator from Florida [Mr. PEPPER] are detained on public business.

The Senator from North Carolina [Mr. REYNOLDS] is necessarily absent.

The Senator from West Virginia [Mr. KILGORE] and the Senator from Washington [Mr. WALLGREN] are absent on official business for the Special Committee to Investigate the National Defense Program.

Mr. WHERRY. The Senator from Kansas [Mr. CAPPER], the Senator from Colorado [Mr. MILLIKIN], and the Senator from Oklahoma [Mr. MOORE] are necessarily absent.

The Senator from Pennsylvania [Mr. DAVIS] and the Senator from New Hampshire [Mr. TOBEY] are absent on public business.

The VICE PRESIDENT. Seventy-two Senators have answered to their names. A quorum is present.

Mr. O'MAHONEY. Mr. President, the motion to reconsider the Red Cross bill is now before the Senate by reason of the fact that the junior Senator from Tennessee [Mr. STEWART] on the 19th of January, when the bill was passed by the Senate, indicated that he desired a few more days in which to reexamine the facts upon which were based an amendment offered at the suggestion of the Senator from Maryland [Mr. TYDINGS] by which commercial users of the Red Cross symbol who deemed themselves injured by reason of the adoption of a law implementing the Geneva Treaty should have the right to appear before the Court of Claims and demonstrate their injury and damage, if any.

Unfortunately, the then chairman of the Judiciary Committee, the distin-

guished Senator from Indiana [Mr. VAN NUYS] died within a few days thereafter, and consideration of the amendment was thereby postponed until now, a period of 3 months. The Senator from Tennessee and the Senator from Maryland indicated to me that their only purpose was to have for a few hours the opportunity to reconsider the contentions upon which the proposed amendment is based, and I was very glad to indicate a willingness to go along with that proposed arrangement. Of course, from the parliamentary point of view, there is always the opportunity to move to lay such a motion upon the table, a motion which is then presented for action without debate. The Senator from Maryland has been good enough to indicate to me on several occasions that he is quite willing to have the debate limited.

Mr. President, since the only matter which brings about the motion to reconsider is the particular amendment in question, I therefore ask unanimous consent that there shall be a vote upon the motion to reconsider not later than 3 o'clock.

Mr. WHITE. Mr. President—

Mr. TYDINGS. Mr. President, reserving the right to object, if the Senator will bear with me—

Mr. O'MAHONEY. I had not quite finished.

Mr. TYDINGS. I beg the Senator's pardon.

Mr. O'MAHONEY. Does the Senator from Maine wish to make a statement?

Mr. WHITE. Is the Senator from Wyoming making request for unanimous consent respecting the time for voting?

Mr. O'MAHONEY. Yes.

Mr. WHITE. Mr. President, I feel at the moment that I must object.

Mr. O'MAHONEY. I hope the Senator will withhold his objection, because my purpose, of course, is to carry out an understanding which was had, and to clear the way for the appropriation bill which is to come before the Senate.

Mr. WHITE. Mr. President, I have no desire to interpose a personal objection, but I think at least one or two Senators on this side have some interest in this matter, and I should like to get in touch with them and talk with them before I consent to a definite time for a vote.

Mr. O'MAHONEY. Mr. President, in those circumstances, of course, I shall not proceed with the request. But I will say that an understanding had been reached with respect to limiting the time for consideration of the matter.

Mr. TYDINGS. Mr. President, I should like to make a suggestion to the Senator from Wyoming. The only thing we want to have reconsidered, so there may be a more extended understanding of the whole matter, is the amendment which was rejected when the bill was originally considered. Since there is only one matter in dispute between those who favor and those who do not in any way at all favor the bill, I suggest to the Senator from Wyoming that he so frame his unanimous-consent request that the Senate vote on that one matter, which

78TH CONGRESS
2^D SESSION

H. R. 3848

IN THE SENATE OF THE UNITED STATES

APRIL 24 (legislative day, APRIL 12), 1944

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To amend section 9 of the Act of May 22, 1928, authorizing and directing a national survey of forest resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress, assembled,*
3 That to enable the Secretary of Agriculture to complete
4 and keep current for the United States the forest survey
5 authorized and directed by section 9 of the Act of May 22,
6 1928 (45 Stat. 699, 702; 16 U. S. C. 581h), said section
7 is hereby amended to read as follows:

8 “That the Secretary of Agriculture is hereby authorized
9 and directed, under such plans as he may determine to be
10 fair and equitable, to cooperate with appropriate officials
11 of each State of the United States, and either through them

1 or directly with private and other agencies, in making and
2 keeping current a comprehensive survey of the present and
3 prospective requirements for timber and other forest prod-
4 ucts in the United States, and of timber supplies, including
5 a determination of the present and potential productivity
6 of forest land therein, and of such other facts as may be
7 necessary in the determination of ways and means to balance
8 the timber budget of the United States. There is hereby
9 authorized to be appropriated, out of any money in the
10 Treasury not otherwise appropriated, not to exceed \$750,000
11 annually to complete the initial survey authorized by this
12 section: *Provided*, That the total appropriation of Federal
13 funds under this section to complete the initial survey shall
14 not exceed \$6,500,000. There is additionally authorized
15 to be appropriated not to exceed \$250,000 annually to
16 keep the survey current."

Passed the House of Representatives April 20, 1944.

Attest: SOUTH TRIMBLE,

Clerk.

78TH CONGRESS
2^D Session

H. R. 3848

AN ACT

To amend section 9 of the Act of May 22, 1928,
authorizing and directing a national survey
of forest resources.

APRIL 24 (legislative day, April 12), 1944

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United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 78th CONGRESS, SECOND SESSION

Vol. 90

WASHINGTON, MONDAY, MAY 8, 1944

No. 81

Senate

(Legislative day of Wednesday, April 12, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Father, Thou who art the light behind life's shadows, the love behind life's sorrows, shine in morning splendor upon these darkened lives of ours. We cannot boast of our own might; our flesh is too fragile, our hearts are too evil, our wills are too wayward. In the white light of Thy searching, we pour contempt on all our pride. Coming to this temple of our democracy to pray, we would not catalog the sins of others, we would not exult that we are not as other men. Confessing our own sins, we would pray for Thy forgiveness and Thy cleansing.

We beseech Thee to make us the kind of men, so captured and possessed by Thy vast designs for human brotherhood, that Thou canst trust Thy ageless cause to our willing and eager hands. As the pangs of our brother's pain strike deep into our souls and the problems of these tragic days overwhelm our understanding, we ask only for light enough for the next step, courage enough to face the present duty, truth enough for today's decisions, as into Thy hands we commit our ways. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, May 5, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 5, 1944, the President had approved and signed the following acts and joint resolution:

S. 45. An act to amend section 3 of the act of June 7, 1924 (43 Stat. 653; 16 U. S. C. 566);

S. 1757. An act to amend an act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia; and

S. J. Res. 122. Joint resolution to limit the operation of sections 109 and 113 of the Criminal Code, and sections 361, 365, and 366 of the Revised Statutes, and certain other provisions of law.

MESSAGE FROM THE HOUSE DURING RECESS

Under authority of the order of the fifth instant,

During the recess of the Senate a message was received from the House of Representatives by the Secretary of the Senate stating that the House had passed a bill (H. R. 4646) to provide for simplification of the individual income tax, in which it requested the concurrence of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 271) making an additional appropriation for the fiscal year 1944 for emergency maternity and infant care for wives of enlisted men in the armed forces, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and a joint resolution, and they were signed by the Vice President:

S. 156. An act relating to the status of retired judges;

S. 176. An act for the relief of Austin L. Tierney; and

S. J. Res. 77. Joint resolution to establish a Board of Visitors for the United States Merchant Marine Academy.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Ellender	Murdock
Bailey	Ferguson	Murray
Ball	George	Nye
Bankhead	Gerry	O'Mahoney
Barkley	Gillette	Overton
Bilbo	Guffey	Radcliffe
Brewster	Gurney	Reed
Bridges	Hatch	Reynolds
Brooks	Hayden	Russell
Buck	Hill	Shipstead
Burton	Jackson	Smith
Bushfield	Johnson, Colo.	Stewart
Butler	La Follette	Thomas, Idaho
Byrd	Langer	Thomas, Okla.
Capper	McCarran	Tunnell
Caraway	McClellan	Tydings
Chavez	McFarland	Vandenberg
Connally	McKellar	Walsh, Mass.
Cordon	Maloney	Weeks
Danaher	Maybank	Wheeler
Davis	Mead	Wherry
Downey	Millikin	White
Eastland	Moore	Wilson

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], and the Senator from New Jersey [Mr. WALSH] are absent from the Senate because of illness.

The Senator from Utah [Mr. THOMAS] has been appointed by the President of the United States as a delegate to attend the International Labor Organization Conference in Philadelphia, and is, therefore, necessarily absent.

The Senator from Missouri [Mr. TRUMAN] and the Senator from Washington [Mr. WALLGREN] are absent on official business for the Special Committee to Investigate the National Defense Program.

The Senator from Nevada [Mr. SCRUGHAM] and the Senator from New York [Mr. WAGNER] are absent on official business.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. KILGORE], and the Senator from Illinois [Mr. LUCAS] are detained on public business.

The Senator from Texas [Mr. O'DANIEL] is necessarily absent.

Mr. WHERRY. The Senator from Vermont [Mr. AIKEN], the Senator from Oregon [Mr. HOLMAN], the Senator from West Virginia [Mr. REVERCOMB], the Senator from Wyoming [Mr. ROBERTSON],

the Senator from Ohio [Mr. TAFT], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent because of illness.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum is present.

INVITATION FOR CONGRESSIONAL DELEGATION TO VISIT THE BRITISH PARLIAMENT—HANSARD REPORT

The VICE PRESIDENT laid before the Senate a letter from the private secretary to the Ambassador of Great Britain to Washington, transmitting copies of Hansard containing the debates in both Houses of the British Parliament on the recent invitation extended to Members of Congress, which, with the accompanying official report, was referred to the Committee on Foreign Relations.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

CLASSIFICATION OF NEW SYNTHETIC DRUG

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code, the Narcotic Drugs Import and Export Act, as amended, and the Tariff Act of 1930, as amended, to classify a new synthetic drug, and for other purposes (with an accompanying paper); to the Committee on Finance.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of War, Navy, and Agriculture (4) which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

RESOLUTION BY MUNICIPAL ASSEMBLY OF MAYAGUEZ, P. R.

The VICE PRESIDENT laid before the Senate a resolution adopted by the Municipal Assembly of Mayaguez, P. R., endorsing the administration of Rexford Guy Tugwell as Governor of Puerto Rico, which was referred to the Committee on Territories and Insular Affairs.

NEUTRALITY OF EIRE—MEMORIALS

Mr. WALSH of Massachusetts. Mr. President, I ask consent to present several memorials containing the names of approximately 10,000 citizens, all in the State of Massachusetts, remonstrating against the policy of the State Department in regard to the neutrality of Eire. I ask that the body of one of the memorials be printed in the Record without the signatures attached and that they be referred to the Committee on Foreign Relations.

There being no objection, the memorials were referred to the Committee on Foreign Relations, and the body of one of the memorials was ordered to be printed in the Record without the signatures, as follows:

The undersigned American citizens, many of whom have immediate relatives in the armed services, respectfully disagree with the policy of our State Department in its effort to force the people of Eire to abandon their neutrality for these reasons:

1. The peoples of the United States of America and of Ireland have maintained a strong and unbroken friendship over our history, and the Irish people still cherish that friendship.

2. Responsible British officials have repeatedly expressed a desire to repossess Ireland, and are not unwilling to use any State Department, ours included, to accomplish that purpose.

3. There is little opportunity for espionage afforded six Nazi-Nipponese representatives in Eire who must be under the constant surveillance of American, Irish, and British secret-service men.

4. In the First World War, Ireland accepted the promises of world leaders, and volunteered an army of 350,000 men—one-tenth of her population—while England was conscripting her army. The Irish dead numbered twice the Belgian dead, yet all promises to small nations were repudiated in Ireland's case.

5. To bring a neutral nation into military association by force of one kind or another is to emulate the Nazi philosophy and bring our war purposes and ideals into disrepute.

We respectfully suggest the immediate application of the principles of the Atlantic Charter to Ireland. This can be done without awaiting final victory or without disturbing our war effort.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BANKHEAD, from the Committee on Irrigation and Reclamation:

S. 1782. A bill to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes; with amendments (Rept. No. 859);

H. R. 3429. A bill to amend section 1 of an act entitled "An act authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work," approved February 28, 1929 (45 Stat. 1406), as amended by the act of April 22, 1940 (54 Stat. 148); with an amendment (Rept. No. 860);

H. R. 3476. A bill to approve a contract negotiated with the Klamath draining district and to authorize its execution, and for other purposes; with an amendment (Rept. No. 861); and

H. R. 3570. A bill to provide as an emergency war project for the partial construction of the Hungry Horse Dam on the South Fork of the Flathead River in the State of Montana, and for other purposes; with amendments (Rept. No. 862).

By Mr. SMITH, from the Committee on Agriculture and Forestry:

H. R. 3848. A bill to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources; without amendment (Rept. No. 863).

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on May 4, 1944, that committee presented to the President of the United States the following enrolled bill and joint resolution:

S. 698. An act to amend part II of Veterans Regulation No. 1 (a); and

S. J. Res. 112. Joint resolution authorizing and directing the Fish and Wildlife Service of the Department of the Interior to conduct a survey of the marine and fresh-water

fishery resources of the United States, its Territories, and possessions.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. BAILEY, from the Committee on Commerce:

Sundry cadets to be ensigns in the Coast Guard, to rank from the 7th day of June 1944.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GILLETTE:

S. 1895. A bill to provide for making certain surplus materials, equipment, and supplies available for soil and water conservation work through the distribution thereof, by grant or loan, to public bodies organized under State laws, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. THOMAS of Oklahoma:

S. 1896 (by request). A bill to authorize the use of funds of any tribe of Indians for insurance premiums; to the Committee on Indian Affairs.

By Mr. BARKLEY (for Mr. TRUMAN):

S. 1897. A bill for the relief of Mrs. Sophia Tannenbaum; to the Committee on Claims.

HOUSE BILL REFERRED DURING RECESS

Under authority of the order of the 5th instant,

During the last recess of the Senate the bill (H. R. 4646) to provide for simplification of the individual income tax was read twice by its title and referred to the Committee on Finance.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 271) making an additional appropriation for the fiscal year 1944 for emergency maternity and infant care for wives of enlisted men in the armed forces was read twice by its title and referred to the Committee on Appropriations.

SIMPLIFICATION OF INCOME TAX—RELATING TO CABARETS, ROOF GARDENS, ETC.

Mr. McCARRAN. Mr. President, there will be before the Senate shortly House bill 4646, to amend the tax law and to provide for simplification of individual income-tax returns. I submit an amendment intended to be proposed by me to the bill which would provide for a reduction of the tax on cabarets and roof gardens, and the like, from 30 percent, the rate at which it is now fixed, to 10 percent, the rate at which the tax was fixed before the present law was enacted. I ask that the proposed amendment be referred to the Committee on Finance.

The VICE PRESIDENT. Without objection, the amendment will be received, referred to the Committee on Finance, and printed.

EXTENSION OF EMERGENCY PRICE CONTROL ACT—AMENDMENT

Mr. MURRAY. Mr. President, for the Senator from New York [Mr. MEAD], the Senator from Kansas [Mr. CAPPER], and the Senator from Nebraska [Mr. WHERRY], and myself, I ask consent to

TO AMEND SECTION 9 OF THE ACT OF MAY 22, 1928,
AUTHORIZING AND DIRECTING A NATIONAL SURVEY
OF FOREST RESOURCES

MAY 8 (legislative day, APRIL 12), 1944.—Ordered to be printed

Mr. SMITH, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H. R. 3848]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 3848) to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources, reports thereon favorably with the recommendation that the bill do pass.

The report of the House Committee on Agriculture (Rept. No. 966, 78th Cong. 1st sess.) contains an explanation of the purposes of this legislation. The report is attached hereto as exhibit A.

The Secretary of Agriculture has reported favorably on the bill as it passed the House, and a copy of that report is attached hereto as exhibit B.

EXHIBIT A

[H. Rept. No. 966, 78th Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 3848) to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources, having considered the same, report thereon with a recommendation that it do pass.

STATEMENT

The bill H. R. 3848 is a substitute for the bill H. R. 1456 which was considered by the committee in connection with the report of the Secretary of Agriculture. The committee decided to make certain amendments in this bill, and deemed it desirable to reenact section 9 with the needed amendments incorporated therein. These amendments increase the annual authorization from \$250,000 to \$750,000 and the total authorization from \$3,000,000 to \$6,500,000 for completing the initial survey. They authorize additionally not to exceed \$250,000 annually to keep it current.

H. R. 3848 is necessary to make possible the completion of a Nation-wide survey of the forest resources of the United States, both public and private, and to keep the results up to date.

This survey, authorized by section 9, includes field inventory of the supply of timber, a determination of the increase in volume on account of growth, of the depletion through cutting, fire, insects, and other causes, and of present consumption and future trends in requirements for timber and other forest products. These data and analyses thereof are basic to the formulation of forest policies and programs.

Forest land comprises 630,000,000 acres or one-third of our total land area. Forests are one of our most important resources, and they are renewable. About half of the forest land has been covered by the survey under the original authorization of \$3,000,000 which is nearly exhausted.

The results of this activity are in constant demand by Federal, State, and private agencies and individuals. The war has greatly increased the need for figures on timber supplies, requirements for forest products, and other information on availability and quality of forest stands. Plans for post-war programs also recognize the importance of forest land and will be deficient to the extent that the forest survey is not carried forward to the rest of the country.

Forest depletion has progressed to a point where careful stock-taking of the forest resources is essential to facilitate the development of both public and private programs and sound forest management plans which will assure adequate supplies of timber for the future.

The legislation is recommended by the Secretary of Agriculture.

The committee recognizes the need for dependable information on the forest resource and recommends speedy enactment of this bill as an indispensable link in furthering more effective and permanent use of our forest lands.

The report of the Secretary of Agriculture on H. R. 1456 which includes further explanation of the need for this legislation follows:

JULY 16, 1943.

HON. H. P. FULMER,

*Chairman, Committee on Agriculture,
House of Representatives, Washington, D. C.*

DEAR MR. FULMER: I have your letter of May 10 requesting a report on bill H. R. 1456, introduced by Congressman Randolph, to amend section 9 of the act of May 28, 1928, authorizing and directing the survey of forest resources.

This amendment is for the purpose of authorizing the appropriation of funds to complete the Nation-wide forest survey and to keep the findings up to date. The enactment of this bill would place section 9 on the same basis with respect to appropriation as other sections of the organic Forest Research Act of May 22, 1928, by removing the present authorization limitations of \$250,000 annually and of \$3,000,000 total appropriation.

The forest survey was initiated 13 years ago to obtain basic information on timber supplies, their rate of depletion and growth, our requirements for timber for all commodity purposes, and the related information about the forest resources necessary in formulating sound forest policies. Over \$2,600,000 of the original \$3,000,000 authorized has already been appropriated. The survey has covered about half of the forest area of the United States.

To serve most constructively in the post-war period the field inventory of the forest survey must be extended over the remainder of the country as rapidly as possible, and preferably be completed in not more than 6 to 8 years. The forest resource situation, however, is inherently subject to constant change because of cutting, fire, insects, and disease in the timber, and its replacement by growth. Therefore, in order to keep the survey information up to date, following the completion of this Nation-wide inventory, a small annual appropriation will be needed.

Some years ago it became apparent that the survey must be broadened if its findings were to be sufficiently inclusive and localized to meet the persistent and growing demands of Federal, State, and private agencies and individuals. The war has greatly increased the need for information regarding timber supplies, requirements for forest products, utilization practices, and for other factual information and analyses within the general field of survey coverage. In order to meet constant requests from the War Production Board, Office of Price Administration, and other war agencies, "spot" surveys are being made with respect to critical species, lumber, and other forest products' production by primary industries is determined, special reports are prepared, and records kept current on areas already covered by the survey.

This amendment has been endorsed and strongly supported by virtually all agencies and organizations, public and private alike, that are concerned with forestry problems. The Joint Committee on Forestry recognized the fundamental importance of the forest survey and the necessity for modifying the present

restrictive authorization under which it operates. In its report, Forest Lands of the United States (H. Rept. No. 323, 77th Cong.) the joint committee recommended "Amendment to section 9 of the McSweeney-McNary Forest Research Act of 1928 to authorize an annual appropriation of \$750,000 for early completion of the forest survey of the United States." In the opinion of this Department the present bill is reasonably consistent with this recommendation and would be effective as a means of attaining the desired objective.

The significance of forest resources in both war and peace is increasing. The information that the forest survey obtains is essential to making such effective use of our forests that they will contribute in full measure to national income and welfare. We therefore recommend enactment of the proposed amendment.

It is suggested that the code citation in the bill be changed from "16 U. S. C. 58" to "16 U. S. C. 581h."

The Bureau of the Budget has advised that it had no objection to the submission of a similar report to the Senate Committee on Agriculture and Forestry on S. 44, an identical bill.

Sincerely,

CLAUDE R. WICKARD, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

[PUBLIC 466—70TH CONGRESS]

* * * * *

"SEC. 9. That the Secretary of Agriculture is hereby authorized and directed, under such plans as he may determine to be fair and equitable, to cooperate with appropriate officials of each State of the United States, and either through them or directly with private and other agencies, in making *and keeping current* a comprehensive survey of the present and prospective requirements for timber and other forest products in the United States, and of timber supplies, including a determination of the present and potential productivity of forest land therein, and of such other facts as may be necessary in the determination of ways and means to balance the timber budget of the United States. There is hereby authorized to be appropriated [annually], out of any money in the Treasury not otherwise appropriated, [not more than \$250,000] *not to exceed \$750,000 annually to complete the initial survey authorized by this section: Provided, That the total appropriation of Federal funds under this section to complete the initial survey shall not exceed [\$3,000,000] \$6,500,000. There is additionally authorized to be appropriated not to exceed \$250,000 annually to keep the survey current.*"

EXHIBIT B

MAY 1, 1944.

Hon. E. D. SMITH,

*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR SMITH: Reference is made to your request of April 25 for a report on H. R. 3848, introduced by Congressman Randolph, to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources.

This bill as now passed by the House corresponds very closely in effect to companion bills S. 44 and H. R. 1456 of the present Congress. Both of these bills were reported on favorably by this department. The report to your committee on S. 44 is dated March 26, 1943.

The purpose of this amendment is to increase the appropriation authorizations for the Forest Survey so as to make it possible to complete the study for the United States and keep the findings up to date.

The Forest Survey was initiated 13 years ago to obtain basic data on timber supplies, their rate of depletion and growth, our requirements for timber for all commodity purposes, and the related information about the forest resources necessary in formulating sound forest policies. Over \$2,700,000 of the original \$3,000,000 authorized has already been appropriated. But the survey has been able to cover only about half of the forest area.

The need for information obtained by the survey has increased greatly on account of the war. A great amount of factual information on the quality, availability, and quantity of timber stands, and the requirements for forest products, upon request, is being supplied to the War Production Board, Office of Price Administration, and other war agencies. As an aid in post-war adjustments the forest survey must be extended over the remainder of the United States as fast as possible, and within 6 to 8 years at the longest.

The forest survey is strongly supported and endorsed by public and private organizations and agencies alike that are interested in forestry. The Joint Committee on Forestry in its report, Forest Lands of the United States (S. Doc. No. 32, 77th Cong.) recommended "Amendment to section 9 of the McSweeney-McNary Forest Research Act of 1928 to authorize an annual authorization of \$750,000 for early completion of the forest survey of the United States." In the opinion of this Department the present bill is reasonably consistent with this recommendation.

The significance of forest resources in both war and peace is increasing. The information that the forest survey obtains is essential to making such effective use of our forests that they will contribute in full measure to national income and welfare. This Department therefore, strongly recommends enactment of H. R. 3848.

The Bureau of the Budget has advised that it had no objection to the submission of this report.

Sincerely,

(Signed) CLAUDE R. WICKARD, *Secretary*.

○

Calendar No. 874

78TH CONGRESS
2D SESSION

H. R. 3848

[Report No. 863]

IN THE SENATE OF THE UNITED STATES

APRIL 24 (legislative day, APRIL 12), 1944

Read twice and referred to the Committee on Agriculture and Forestry

MAY 8 (legislative day, APRIL 12), 1944

Reported by Mr. SMITH, without amendment

AN ACT

To amend section 9 of the Act of May 22, 1928, authorizing and directing a national survey of forest resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That to enable the Secretary of Agriculture to complete
4 and keep current for the United States the forest survey
5 authorized and directed by section 9 of the Act of May 22,
6 1928 (45 Stat. 699, 702; 16 U. S. C. 581h), said section
7 is hereby amended to read as follows:

8 “That the Secretary of Agriculture is hereby authorized
9 and directed, under such plans as he may determine to be
10 fair and equitable, to cooperate with appropriate officials
11 of each State of the United States, and either through them

1 or directly with private and other agencies, in making and
2 keeping current a comprehensive survey of the present and
3 prospective requirements for timber and other forest prod-
4 ucts in the United States, and of timber supplies, including
5 a determination of the present and potential productivity
6 of forest land therein, and of such other facts as may be
7 necessary in the determination of ways and means to balance
8 the timber budget of the United States. There is hereby
9 authorized to be appropriated, out of any money in the
10 Treasury not otherwise appropriated, not to exceed \$750,000
11 annually to complete the initial survey authorized by this
12 section: *Provided*, That the total appropriation of Federal
13 funds under this section to complete the initial survey shall
14 not exceed \$6,500,000. There is additionally authorized
15 to be appropriated not to exceed \$250,000 annually to
16 keep the survey current.”

Passed the House of Representatives April 20, 1944.

Attest:

SOUTH TRIMBLE,

Clerk.

78TH CONGRESS
2^D Session

H. R. 3848

[Report No. 863]

AN ACT

To amend section 9 of the Act of May 22, 1928,
authorizing and directing a national survey
of forest resources.

APRIL 24 (legislative day, APRIL 12), 1944

Read twice and referred to the Committee on
Agriculture and Forestry

MAY 8 (legislative day, APRIL 12), 1944

Reported without amendment

ure is that the War Department and the Bonneville Power Authority recommended the raising of Flathead Lake between, as I recall, 20 and 27 feet. The Members of Congress were not consulted the first time the recommendation was made by the War Department. Subsequently they came to me and asked my views about it. I suggested they have a hearing in the district. Such a hearing was held, and about 5,000 people attended the hearing and protested raising the dam on the Flathead Lake, raising the level of the lake, increasing the power, and taking over the present power site by the Government. Finally the Montana delegation, because of that protest, suggested if it was desired to have more water for the Bonneville project, the construction of this particular project, which would store water to take the place of a part of the water at least they would have by increasing the height of the lake.

The people of Montana and of that section generally agreed that this is one of the projects that should be undertaken, rather than to flood out hundreds of acres of the best land in Montana, to make an island out of the beautiful little city of Kalispell, in Flathead County, and flood the lumber mill of the Great Northern Railway located at Somers. This is the project which was worked out as a compromise to save these people.

The great emergency about it is this: The people there have been very much upset and greatly afraid that if this compromise bill is not passed the authorities will, perhaps by a directive, or something else, attempt to do what they have talked about doing in the past. The emergency is not incident to building the dam, but certainly there is an emergency insofar as allaying the fears of thousands of people in that section of the State that something more drastic may be done. The project is for the storage of water, for flood control, and for irrigation. That is the purpose of it.

Mr. DANAHER. Mr. President, can the Senator tell us what is the estimated cost of the project, if it were to be proceeded with?

Mr. WHEELER. I cannot say offhand, but I can say that testimony was taken before the committee. I have not the figures now before me; I may have them in the file. But as a project it is going to be absolutely necessary. The War Department and the Interior Department and others interested say that in order to supply sufficient water to operate the Bonneville Dam in dry years it will be necessary to store water on the upper reaches of the Flathead River which flows into the Columbia River.

Mr. DANAHER. Will the Senator from Montana yield?

Mr. WHEELER. I yield.

Mr. DANAHER. Does not the Senator's inability to answer the very question I asked indicate the reasonableness of my request that the bill be temporarily passed over?

Mr. WHEELER. Frankly, I do not think so. I can find the figures for the Senator in a very few minutes.

Mr. DANAHER. Then, if it be temporarily passed over, it may be that that

very few minutes will suffice. That is all I ask, that the bill be temporarily passed over.

Mr. WHEELER. If that is all the Senator wants, I am willing to have that done.

Mr. DANAHER. That is all I asked. Mr. WHEELER. But I should like to have the bill passed today, because it has been on the calendar for some time.

The ACTING PRESIDENT pro tempore. Objection being heard, the bill will be passed over.

Mr. WHEELER subsequently said: Mr. President, I ask unanimous consent to recur to Calendar No. 873, House bill 3570, which was passed over at the request of the Senator from Connecticut [Mr. DANAHER]. I am sure the Senator has no objection now to passage of the bill.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 3570) to provide as an emergency war project for the partial construction of the Hungry Horse Dam on the South Fork of the Flathead River in the State of Montana, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The ACTING PRESIDENT pro tempore. The committee amendment was previously agreed to.

The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide for the partial construction of the Hungry Horse Dam on the south fork of the Flathead River in the State of Montana, and for other purposes."

NATIONAL SURVEY OF FOREST RESOURCES

The bill (H. R. 3848) to amend section 9 of the act of May 22, 1928, authorizing and directing a national survey of forest resources, was considered, ordered to a third reading, read the third time, and passed.

EXPORTATION OF CERTAIN COMMODITIES

The Senate proceeded to consider the bill (S. 1826) to amend section 6 of the act of July 2, 1940 (54 Stat. 714), relating to the exportation of certain commodities, and to continue said act in effect, which had been reported from the Committee on Military Affairs with amendments, on page 1, line 4, after the word "amended", to insert "by the act of June 30, 1942 (56 Stat. 463)", and on line 9, after the date "June 30", to strike out "1946" and insert "1945", so as to make the bill read:

Be it enacted, etc., That section 6 of the act of July 2, 1940 (54 Stat. 714), as amended by the act of June 30, 1942 (56 Stat. 463), is hereby amended by deleting from subsection (b) thereof the words "Board of Economic

Warfare" and substituting therefor the words "Foreign Economic Administration" and by deleting from subsection (d) thereof the words "June 30, 1944" and substituting therefor the words "June 30, 1945."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF WIDOW CESAIRE DE BLANC

The bill (S. 1593) for the relief of the heirs and assigns of Widow Cesaire De Blanc was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That title to the following described lands, including all mineral rights therein, situated in Iberia Parish, La., which were located by Widow Cesaire De Blanc under school land warrant No. 1809, issued by the State of Louisiana on June 7, 1855, pursuant to the act entitled "An act to appropriate lands for the support of schools in certain townships and fractional townships, not before provided for," approved May 20, 1826 (4 Stat. 179), is hereby confirmed to the said Widow Cesaire De Blanc, her heirs and assigns: The north half of the southeast quarter of section 8, township 12 south, range 6 east of the Louisiana meridian.

CONFIRMATION OF TITLE TO THE SALINE LANDS, JACKSON COUNTY, ILL.

The bill (S. 1451), to amend the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others", approved March 2, 1861, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others," approved March 2, 1861 (12 Stat. 891), is amended by striking out so much thereof as reads as follows: "To Stephen Holliday, the southwest quarter of the southeast quarter of the southeast quarter of section 31, township 8, of range 2", and inserting in lieu thereof the following: "To Stephen Holliday, the southeast quarter of the southeast quarter of section 31, township 8, of range 2."

SEC. 2. The amendment made by the first section of this act shall be effective as of March 2, 1861.

INVITATION TO CONGRESS TO SEND A DELEGATION TO THE BRITISH PARLIAMENT

The concurrent resolution (S. Con. Res. 43) relating to the invitation to the Congress of the United States to send a delegation to visit the British Parliament, was considered and agreed to, as follows:

Resolved, etc., That the Congress of the United States expresses to the House of Lords and the House of Commons of Great Britain its cordial appreciation for such invitation;

That because of the urgency of official business at this time, it will be impracticable for the Houses of the Congress to accept the invitation and to send a delegation of the Members to Great Britain at present;

That when the exigencies of public business make it possible such invitation will have further consideration by the Houses of Congress.

The preamble was agreed to.

Mr. BARKLEY. Mr. President, in connection with the concurrent resolution just agreed to, which is in reference

to an invitation officially extended by both houses of the British Parliament inviting the Congress of the United States to send a delegation of the two Houses to England as their guests, I think I should not let the opportunity pass to say that the Committee on Foreign Relations considered the concurrent resolution and, as will be seen from the measure, expressed its appreciation to the British Parliament for the invitation to send a delegation from the two Houses of Congress to England as their guests, purely an informational trip. The committee felt that the time was not propitious to try to take this trip, in view of our domestic situation, and with an election impending, and it might be difficult to obtain a delegation the members of which would be in the position to go. The concurrent resolution does not preclude the possibility of acceptance in the future. It merely states that at this time it is not appropriate to try to accept the invitation, but it does express the appreciation of the committee, and I wish to express the appreciation of the Senate to the two houses of the British Parliament, for the very courteous invitation they have extended to us, and to express my hope that at a later time we may be able to accept the invitation.

MARY ELLEN FRAKES

The Senate proceeded to consider the bill (H. R. 3126) for the relief of Mary Ellen Frakes, widow of Joseph A. Frakes, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the words "sum of", to strike out "\$5,000" and insert "\$3,500."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PAUL J. CAMPBELL, LEGAL GUARDIAN OF
PAUL M. CAMPBELL

The Senate proceeded to consider the bill (H. R. 1220) for the relief of Paul J. Campbell, the legal guardian of Paul M. Campbell, a minor, which had been reported from the Committee on Claims with amendments, on page 1, line 5, after the word "to", to strike out "Paul J. Campbell, of East St. Louis, Ill., the sum of \$2,000; to pay"; and, on line 8, to strike out "\$3,000" and insert "\$3,500."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of the legal guardian of Paul M. Campbell, a minor."

PAUL BARRERE

The bill (H. R. 1984) for the relief of Paul Barrere was considered, ordered to a third reading, read the third time, and passed.

HAMP GOSSETT CASTLE AND OTHERS

The bill (H. R. 3136) for the relief of Hamp Gossett Castle, and others, was considered, ordered to a third reading, read the third time, and passed.

SAUNDERS MEMORIAL HOSPITAL

The bill (H. R. 1737) for the relief of Saunders Memorial Hospital was announced as next in order.

Mr. DANAHER. Let the bill go over.

The ACTING PRESIDENT pro tempore. Objection being heard, the bill will be passed over.

WILLIAM E. SEARCH AND OTHERS

The bill (H. R. 1635) for the relief of William E. Search and the legal guardians of Marion Search, Pauline Search, and Virginia Search was considered, ordered to a third reading, read the third time, and passed.

CLARENCE E. THOMPSON AND MRS. VIRGINIA THOMPSON

The bill (H. R. 2408) for the relief of Clarence E. Thompson and Mrs. Virginia Thompson was considered, ordered to a third reading, read the third time, and passed.

REESE FLIGHT INSTRUCTION, INC.

The bill (H. R. 2507) for the relief of Reese Flight Instruction, Inc., was considered, ordered to a third reading, read the third time, and passed.

PETE PALUCK

The bill (H. R. 2689) for the relief of Pete Paluck was considered, ordered to a third reading, read the third time, and passed.

MCCULLOUGH COAL CORPORATION

The bill (H. R. 1519) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of the McCullough Coal Corporation against the United States was announced as next in order.

Mr. DANAHER. I ask that the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

ESTATE OF JOHN BUBY

The Senate proceeded to consider the bill (H. R. 2855) for the relief of the estate of John Buby, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of John Buby, of Brown City, Mich., the sum of \$5,475.86, in full settlement of all claims against the United States on account of the death of John Buby, who was fatally injured on December 20, 1942, when struck by a United States Army vehicle near Disco, Mich., on Michigan State Highway M-53: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. VANDENBERG. Mr. President, in respect to this bill I wish to make a brief statement and request. It is a bill to reimburse the widow of John Buby, the mother of eight children, for the loss of the life of her husband, the breadwinner of the family, as the result of an accident concerning which the responsibility

is unmistakable and incontrovertible. The War Department accepts the responsibility. The deceased was killed on a highway as the result of the negligence of the driver of an Army truck at that point.

Mr. President, when the House committee reported the bill—and the Senate committee report is based upon the House report—the House committee reported as follows:

Mr. Buby left a wife, 33 years of age, and eight minor children. The War Department recommends the sum of \$5,475.86. However, your committee are of the opinion that this would not be sufficient in view of the fact that he left eight children ranging from a baby born 3 months after his father's death, and others ranging from 1½ to 15 years of age, to be supported and educated. Therefore, your committee recommend the sum of \$7,975.86 be paid to the estate of John Buby.

Therefore, Mr. President, the sole question which I bring to the Senate is the question of whether, in respect to an accident for which the responsibility is accepted by the Government, the reimbursement of a mother of eight children is adequate at \$5,000 and expenses, or whether the compensation should be set at the point which the House committee recommended, \$2,500 more.

Mr. President, when the bill reached the floor of the House, the House amended it by cutting it back to the present figure. Since then I have been told that if it were resubmitted to the House the recommendation of the committee would unquestionably be accepted. I think the able Senator from Delaware [Mr. TUNNELL] was fully justified in reporting the bill on the basis on which it was passed by the House. I am merely asking that the Senate accept an amendment, for the purpose of taking it to conference, so that the matter may be resolved in the light of these facts.

I move that in line 6 the sum "\$5,475.86" be stricken out and that "\$7,975.86", as recommended by the House committee originally, be substituted. I shall be quite content to have the matter canvassed in conference, and any conclusion that is reached will be entirely satisfactory to me.

The ACTING PRESIDENT pro tempore. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 1, line 6, it is proposed to strike out "\$5,475.86" and to insert in lieu thereof "\$7,975.86."

Mr. TUNNELL. Mr. President, I do not think I have any objection to the amendment suggested by the Senator from Michigan. It is always a question with me, in the Committee on Claims, as to what should be done in a case where there are a widow and many children. I do not know how to divide the damage. There has been a sort of unwritten rule in the Committee on Claims that we would try to hold the damage for death down to \$5,000. To that sum from time to time have been added expenses, which perhaps is the reason for the amount fixed. I shall not offer any objection, under the circumstances.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. VANDENBERG].



[PUBLIC LAW 321—78TH CONGRESS]

[CHAPTER 217—2D SESSION]

[H. R. 3848]

AN ACT

To amend section 9 of the Act of May 22, 1928, authorizing and directing a national survey of forest resources.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the Secretary of Agriculture to complete and keep current for the United States the forest survey authorized and directed by section 9 of the Act of May 22, 1928 (45 Stat. 699, 702; 16 U. S. C. 581h), said section is hereby amended to read as follows:

“That the Secretary of Agriculture is hereby authorized and directed, under such plans as he may determine to be fair and equitable, to cooperate with appropriate officials of each State of the United States, and either through them or directly with private and other agencies, in making and keeping current a comprehensive survey of the present and prospective requirements for timber and other forest products in the United States, and of timber supplies, including a determination of the present and potential productivity of forest land therein, and of such other facts as may be necessary in the determination of ways and means to balance the timber budget of the United States. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed \$750,000 annually to complete the initial survey authorized by this section: *Provided*, That the total appropriation of Federal funds under this section to complete the initial survey shall not exceed \$6,500,000. There is additionally authorized to be appropriated not to exceed \$250,000 annually to keep the survey current.”

Approved May 31, 1944.

